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मई विलो, नवम्बर 13, 1982/कार्तिक 22, 1904
NEW DELHI, SATURDAY, NOVEMBER 13, 1982/KARTIKA 22, 1904

इस भाग में भिन्न पृष्ठ संख्या भी जाती है जिससे कि यह भ्रमण संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी कए गए सार्वाधिक आदेश और आधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

केन्द्रीय उत्पादन शुल्क और सीमाशुल्क बोर्ड

नई दिल्ली, 13 नवम्बर, 1982

सं 244/82 सीमाशुल्क

का० आ० 3751.—केन्द्रीय उत्पाद-शुल्क और सीमा शुल्क बोर्ड, सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त परिकल्पनों का प्रयोग करते हुए, कर्नाटक राज्य के बेगलगाम भिले में ककासी गांव को माण्डलारण देश के रूप में घोषित करता है।

[फा० सं 473/153/82-सी० शु०-७]

परिकल्पनों का प्रयोग करते हुए, तमिन्नाडु राज्य में जिला मदुरै में कोडिकनाल को भाष्यागार स्टेशन के रूप में घोषित करता है।

[फा० सं 473/154/82-सी० शु०-७]

NO. 245/82-CUSTOMS

S.O. 3752.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Kodaikanal in Madurai District in the State of Tamil Nadu to be a warehousing station.

[F. No. 473/154/82-Cus-VII]

सं 246/82-सीमाशुल्क

का० आ० 3753.—केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड, सीमा-शुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त परिकल्पनों का प्रयोग करते हुए हरियाणा राज्य के गुडगाव जिले में माहलि काम्पलैक्स को माण्डलारण देश के रूप में घोषित करता है।

[फा० सं 473/72/82-सी० शु०-७]

एन० क० कूर, अवर मचिव

NO. 246/82-CUSTOMS

S.O. 3753.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Maruti Complex in Gurgaon District in the State of Haryana to be a warehousing station.

[F. No. 473/72/82-Cus. VII]
N. K. KAPUR, Under Secy.

नागरिक पर्स शंखालय

मार्तीय मानस संस्था

पार्टी दिल्ली, 1982-10-13

काठा. न्या. 3754—समय समय पर भंशेश्वित भारतीय मानक संस्था प्रमाणन विभूत विनियम 1955 के विनियम 14 के उपविनियम (4) के अनुभार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सी एम/एल 0906957 जिसके ब्यौरे नीमे ग्रन्युजी में विए गए हैं लाइसेंसधारी के प्रपते भन्नरोध पर 1981-05-16 से रुक कर दिया गया है।

मनसुची

कम से ० लाइसेंस संख्या और लाइसेंसधारी का नाम और पता
तिपि

रह किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया तत्सम्बन्धी भारतीय मानक

1. सी.एम./एस. 9069* दि पालानी अंदावर मिल्स लि० 236/1 धूसर सूती धागा 80 एम कता विशेष IS 171-1973 धूसर सूती धागों की
 1980-10-14 धलली रोड उद्यमलखेट-642126 कोत धागा मी-प्रेज विशिष्ट (पुनरीक्षण)
 (तमिलनाडु)

*नई लाइसेंस संख्या सीएम/एल-०९०६९५७

[सी.एम.डी/55.0906957]

MINISTRY OF CIVIL SUPPLIES
INDIAN STANDARDS INSTITUTION

New Delhi, 1982-10-13

S.O. 3754.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations, 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L-9069* particulars of which are given below has been cancelled with effect from 1981-05-16 at the request of the licensee.

SCHEDULE

Sl. No.	License No. and Date	Name & Address of the Licensee	Article/Process Covered by the License Cancelled	Relevant Indian Standards
(1)	(2)	(3)	(4)	(5)
CM/L-9069*	1980-10-14	The Palani Andavar Mills Ltd., 236/1, Dhally Road, Udamal- pet-642126 (Tamil Nadu)	Grey cotton yarn, 80s Combed special cone yarn-B Grade	IS : 71-1-1973 Specification for Grey cotton yarn (revised)

* New Licence number CM/L-0906957.

[CMD/55 : 0906957]
A. P. BANERJI

कुर्जी मंडालय

(पेटोलियम विभाग)

भर्ती दिल्ली, 13 अक्टूबर, 1982

कांगड़ा ० ३७५५.—यह इस संलग्न अनुसूची में विनिविष्ट और पेट्रोलियम अभियान पाइपलाइन (भूमि में उपयोग के अधिकारों का प्राप्ति अधिकार) 1982 की घारा ६ की उपधारा (१) के अन्वेषण प्रकाशित भारत सरकार की अधिसूचना द्वारा विधियन आयल कार्पोरेशन लिमिटेड के लिए उत्तर प्रदेश में मध्युरा से पंजाब में जलधार तक पेट्रोलियम के परिवहन के लिए उस संलग्न अनुसूची में विनिविष्ट भूमियों के उपयोग का अधिकार अर्जित कर दिया गया है।

और यह इण्डियन बॉयल कार्पोरेशन लिमिटेड ने उक्त अधिनियम को भारा 7 की उपचारा (1) के धंड (1) में विनिर्दिष्ट प्रक्रिया को प्रस्तुति में लिनिर्दिष्ट गाव के नाम के सामने विकारी गई तिप्पी से पर्याप्त स्वित कर दिया है।

प्रब्रय यत् पेट्रोलियम और खनिज पालाश्वारावन (भूमि के उपरोक्त के प्रधानिकारों का भर्जन), नियमावली 1963 के नियम 4 के प्रधान संक्षम प्राधिकारी उक्त तिथि और ऊपर निर्दिष्ट संक्षिप्त पर्यवर्तन के रूप में प्रत्यवारा प्राधिकृत करते हैं।

व्यष्टि और भवुता जालन्धर तक पाइपलाइन संक्षिप्त पर्यवेक्षण				
तहसील : घानेसर	जिला : कुकोट	राज्य : हरियाणा		
मंदालिय का नाम	पर्यावरण	कांडा ०	भारत के सं०	संक्षिप्त पर्यवेक्षण की तिथि
पेट्रोलियम, रमावन एवं जैरक मंदालिय (पेट्रोलियम विभाग)	पटी माडबडा गाहवाद राम नगर	84	३-१-८१	३०-८-८२
	पटी कांकडा गाहवाद राम नगर	84	,,	१४-१-८२
		84	,,	१३-१-८२

[एम जे पी प्रस/जी/एल ए/ 144]

MINISTRY OF ENERGY
(Department of Petroleum)

New Delhi, the 13th October, 1982

S. O. 3755—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section(1) of section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, the Right of User has been acquired in the lands specified in the schedule appended thereto for the Indian Oil Corporation Limited for the transport of petroleum from Mathura in Uttar Pradesh to Jullundur in Punjab.

And whereas the Indian Oil Corporation Limited has terminated the operation referred to in clause (1) if sub-section (1) of section 7 of the said Act on the date shown against the name of village in the schedule.

Now, therefore, under rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of the said operation.

SCHEDULE

Termination of operation of pipeline from :

Tehsil : Thanesar	District : Kurukshetra	State : Haryana		
Name of Ministry	Name of Vill.	S. O. No.	Date of Publication in Gazette of India	Date of Termination
1	2	3	4	4
Petroleum, Chemicals & Fertiliser (Dept. of Petroleum).	1. Patti Jhambra Shahbad 2. Patti Kankra Shahbad 3. Ram Nagar	84 " " " "	9-1-81 14-9-82 13-9-82	30-9-82

JNO. MJPL/G/LA/144]

पर्याप्ति दिल्ली, 18 अक्टूबर, 1982

कानून 3763.—यत्. पेट्रोलियम और अन्य पाइपलाइन (भूमि में, उपयोग के अधिकार का प्रबंधन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन सारत सरकार के पेट्रोलियम रत्नालय और उर्वरक भवान यथा (पेट्रोलियम विभाग) की अधिकारी द्वारा केन्द्रीय सरकार ने उपर भवेत् भूमि में विनिविष्ट भूमियों के उपयोग प्रबंधन को पाइपलाइनों को विभाने के प्रयोग के लिए प्रतिनिधि का प्रवता प्राप्त घोषित कर दिया था।

यत्. सभ्य प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

यौर भागे यत्. केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् अधिसूचना से संलग्न भूमियों में विनिविष्ट भूमियों के उपयोग का अधिकार प्रतित करने का निष्पत्ति किया है।

यत्. उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त एवं को प्रतीकारी करने हुए केन्द्रीय सरकार एवं धारा 3 को उपयोग का अधिकार प्रतित करने का निष्पत्ति किया है।

यत्. यह उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त एवं केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों उपयोग का अधिकार केन्द्रीय सरकार में निवृत होने के बायां इंडियन एयरवें कोर्टोंगत में सभी वाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तरीके की निवृत होगी।

नाम प्राप्त	सहस्रों : कर्पोरेशन	भूमियों		
		जिला : कर्पोरेशन	राज्य : पंजाब	जिला : कर्पोरेशन
नाम प्राप्त	जिला : कर्पोरेशन	राज्य : पंजाब	जिला : कर्पोरेशन	राज्य : पंजाब
1	2	3	4	5
फगवाड़ा ईस्ट हॉन० 73	289 मिन	00	04	41
	340 मिन	00	03	39
	341 मिन	00	05	59
	348 मिन	00	04	07
	349 मिन	00	00	68
	350 मिन	00	03	73
	351 मिन	00	06	77
	384 मिन	00	04	58
	385 मिन	00	01	35
	386 मिन	00	06	44
	387 मिन	00	04	24
	388 मिन	00	00	94
	431 मिन	00	10	16
	432 मिन	00	05	42
	433 मिन	00	07	28
	438 मिन	00	01	86
	439 मिन	00	03	73
	498 मिन	00	04	07
	499 मिन	00	05	23
	702 मिन	00	01	69
	703 मिन	00	00	17
	735 मिन	00	03	22
	736 मिन	00	02	88
	740 मिन	00	12	87
	743 मिन	00	03	39
	744 मिन	00	06	27
	789 मिन	00	00	34
	790 मिन	00	05	25
	4148/793 मिन	00	07	96
	794 मिन	00	04	91
	796 मिन	00	07	82
	4832/798 मिन	00	02	88
	4149-50	00	00	17
	— मिन	00	00	00
	801			
	6127			
	— मिन	00	00	00
	1759			
	1760 मिन	00	05	93
	1761 मिन	00	04	74
	1763 मिन	00	01	62
	1765 मिन	00	03	93
	1768 मिन	00	07	45
	1773 मिन	00	05	59
	1774 मिन	00	07	86
	1798 मिन	00	06	27
	8130/1759 मिन	00	02	71

1	2	3	4	5	1	2	3	4	5
कागदाका हू० 73	4321 — मिन	00	10	16	कागदाका हू० 73	3783 मिन	00	07	28
	1799					3784 मिन	00	03	56
	1800 मिन	00	09	82		3790 मिन	00	00	17
	1801 मिन	00	02	54		3791 मिन	00	00	83
	1834 मिन	00	05	25		3792 मिन	00	04	74
	1837 मिन	00	01	85		3794 मिन	00	01	69
	1838 मिन	00	06	61		3795 मिन	00	02	37
	1844 मिन	00	00	68		3902 मिन	00	06	10
	1845 मिन	00	01	02		3903 मिन	00	05	42
	1846 मिन	00	05	93		3904 मिन	00	04	74
	1850 मिन	00	05	25		3923 मिन	00	06	10
	1851 मिन	00	00	17		3925 मिन	00	06	27
	1852 मिन	00	02	71		3985 मिन	00	01	02
	1853 मिन	00	00	68		3986 मिन	00	09	99
	1878 मिन	00	01	52		3987 मिन	00	05	59
	1879 मिन	00	02	20		3988 मिन	00	03	22
	1883 मिन	00	07	79		3989 मिन	00	03	90
	1884 मिन	00	01	86		3990 मिन	00	09	65
	1886 मिन	00	01	88		4006 मिन	00	08	80
	1887 मिन	00	03	56	हाजीपुर	6 मिन	00	04	55
	1997 मिन	00	00	17	हू० 62	7 मिन	00	04	55
	1999 मिन	03	01	86		8 मिन	00	09	36
	2000 मिन	00	01	03		554/22 मिन	00	02	28
	2002 मिन	00	03	39		65 मिन	00	01	01
	2007 मिन	00	03	39		67 मिन	00	00	25
	2008 मिन	00	02	03		68 मिन	00	13	91
						69 मिन	00	01	52
						70 मिन	00	13	16
	2009 मिन	00	03	73		71 मिन	00	03	04
	2013 मिन	00	02	93		74 मिन	00	00	51
	2014 मिन	00	03	56		75 मिन	00	13	66
	2015 मिन	00	03	56		76 मिन	00	00	25
	2016 मिन	00	00	34		147 मिन	00	09	36
	2184 मिन	00	01	52		148 मिन	00	06	07
	3460 मिन	00	00	34		149 मिन	00	01	52
	3461 मिन	00	04	91		459/150 मिन	00	00	25
	3462 मिन	00	03	05		523/150 मिन	00	00	00
	3464 मिन	00	06	44		524/150 मिन	00	07	08
	3465 मिन	00	04	58		154 मिन	00	11	13
	3472 मिन	00	00	85		155 मिन	00	04	35
	3473 मिन	00	08	29		159 मिन	00	03	29
	3474 मिन	00	04	24		530/160 मिन	00	01	52
	3475 मिन	00	03	90		531/160 मिन	00	11	38
	3478 मिन	00	00	85		161 मिन	00	01	26
	3479 मिन	00	02	71					
	3480 मिन	00	02	20		177 मिन	00	07	34
	3481 मिन	00	02	20		182 मिन	00	08	85
	3485 मिन	00	00	34		183 मिन	00	07	08
	3486 मिन	00	01	02		185 मिन	00	06	58
	3766 मिन	00	06	27		186 मिन	00	08	35
	3767 मिन	00	04	91		193 मिन	00	06	83
	3768 मिन	00	02	54		205 मिन	00	08	10
	3769 मिन	00	03	05		206 मिन	00	07	34
	3781 मिन	00	06	10		207 मिन	00	10	37
	3782 मिन	00	00	17					

1	2	3	4	5	1	2	3	4	5
हार्जीपुर	208 मिन	00	07	84	खन्दा	293 मिन	00	07	62
ह०न० 62	381 "	00	03	54	ह०न० 76 (जारी)	1006/302 मिन	00	00	85
	382 "	00	07	84		1007/302 मिन	00	08	12
	386 "	00	01	77		303 "	00	04	58
	387 "	00	04	81		310 "	00	02	88
	389 "	00	03	04		311 "	00	09	82
	390 "	00	11	58		213 "	00	01	52
	401 "	00	13	91		320 "	00	00	17
	402 "	00	13	16					
	403 "	00	01	01		321 मिन	00	10	67
	400 "	00	00	25		322 "	00	00	68
	405 "	00	01	77		323 "	00	00	68
	408 "	00	12	65		324 "	00	10	67
	419 "	00	07	08		325 "	00	00	17
फगवाड़ावैस्ट	1124 मिन	00	02	20		329/2	00	01	69
ह०न० 74	1125 "	00	03	05		330	00	08	97
	1126 "	00	08	61		463 "	00	00	00
	1129 "	00	07	62		464 "	00	04	58
	1135 "	00	20	15		465	00	06	24
	1141 "	00	11	68		466 "	00	06	24
	1142 "	00	02	71		473 "	00	05	25
	1143 "	00	03	90		474	00	07	98
	1144 "	00	01	69		475 "	00	03	90
	1145 "	00	01	02		478 "	00	04	91
पलाही	74/24 मिन	00	09	87		483 "	00	00	85
ह०न० 60	74/25 "	00	00	25		525 "	00	00	68
	78/12/1 "	00	02	28		530 "	00	02	54
	79/4/2 "	00	02	02		531 "	00	00	51
	79/5/1 "	00	03	79		532 "	00	08	12
						533	00	00	34
चक हाडिम	448 "	00	01	19		534 "	00	03	90
ह०न० 75	447 "	00	04	41		552 "	00	00	17
	448 "	00	07	62		553 "	00	00	17
	449 "	00	01	19		555 "	00	01	35
	455 "	00	05	59					
	456 "	00	02	68	खन्दा	1016/580 मिन	00	02	54
	457 "	00	04	41	ह०न० 76	1017/580	00	09	99
	458 "	00	00	17		581 "	00	01	02
चम्पुडा	62 "	00	00	85		584	00	10	16
ह०न० 76	63 "	00	08	80		585 "	00	00	51
	65 "	00	03	90		589 "	00	09	65
	67 "	00	07	62		591 "	00	03	22
	75 "	00	03	56		608	00	06	61
	76 "	00	02	71		609 "	00	04	91
	77 "	00	00	17		610 "	00	07	96
	78 "	00	02	54		904/2	00	05	25
	79 "	00	00	85		905	00	05	42
	80 "	00	00	00		906 "	00	01	02
	81 "	00	02	20		907 "	00	07	62
	82 "	00	05	93		910 "	00	13	04
	106 "	00	08	43		911 "	00	00	17
	107 "	00	04	41		921/1	09	00	24
	113 "	00	03	05		921/2	00	00	85
	203 "	00	00	85		921/3	00	00	17

1	2	3	4	5	1	2	3	4	5
नगल मज्जा	2/16 मिन	00	00	25	नागल मज्जा इ० न० 86 (आरी)	21/23/2 मिन	00	08	10
इ० न० 86	2/17 "	00	00	76		21/24/1 मिन	00	00	76
	24 "	00	03	79		21/24/2 मिन	00	03	29
	25/1 "	00	02	28		21/31 मिन	00	01	52
	25/2 "	00	00	51		21/32 मिन	00	02	28
	25/3 "	00	04	55		22/3/1 मिन	00	06	58
	3/21 मिन	00	01	77		22/3/2 मिन	00	03	29
	9/20/3 मिन	00	00	00		22/4/1 मिन	00	05	82
	9/21 मिन	00	11	13		22/4/2 मिन	00	00	51
	9/22 मिन	00	03	29		22/6 मिन	11	11	38
	10/1/2 मिन	00	05	57		22/7/1 मिन	00	06	07
	10/1/3 मिन	00	06	58		22/15 मिन	00	02	28
	10/2/2 मिन	00	04	30		28/4/2 मिन	00	04	55
	10/8/1 मिन	00	00	00		28/5/1 मिन	00	05	06
	10/8/2 मिन	00	06	32		28/5/2 मिन	00	07	34
	10/9	00	06	61		28/5/3 मिन	00	00	25
	10/13/1	00	01	26		28/6/1 मिन	00	00	76
	10/13/2 मिन	00	05	57		28/8/2 मिन	00	00	25
	10/14 मिन	00	09	36		30/1 मिन	00	00	51
	10/16/1 मिन	00	07	34		30/9/2/1 मिन	00	00	25
	10/16/2 मिन	00	04	05		30/9/2/2 मिन	00	03	04
	10/16/3 मिन	00	00	51		30/10/1 मिन	00	00	76
	10/17/1 मिन	00	03	22		30/10/2 मिन	00	11	13
	10/25/2 मिन	00	02	02		30/12/1 मिन	00	05	31
	11/5/1 मिन	00	00	25		30/12/2 मिन	00	04	81
	16/1/2 मिन	00	00	25		30/13/2 मिन	00	08	83
	16/2 मिन	00	12	65		30/18/1 मिन	00	00	25
	16/3/2 मिन	00	04	05		48/1 मिन	00	03	04
	16/7/2/1 मिन	00	04	83		51 मिन	00	01	52
	16/7/3 मिन	00	02	28		52 मिन	00	02	53
	16/8/1 मिन	00	10	12		70 मिन	00	01	01
	16/14/2 मिन	00	02	53		219 मिन	00	01	01
	16/14/3 मिन	00	04	05		220/1 से 8 मिन	00	01	01
	16/15/1 मिन	00	06	07		283 मिन	00	04	05
	16/15/2 मिन	00	00	25		285 मिन	00	08	38
	16/18 मिन	00	04	30		287 मिन	00	01	01
	17/20 मिन	00	11	64		288 मिन	00	00	76
	17/21/2 मिन	00	00	51		296 मिन	00	00	76
	17/22 मिन	00	09	36		307 मिन	00	01	52
	17/23 मिन	00	04	05		317 मिन	00	00	23
	21/10/2 मिन	00	00	00		3/17 मिन	00	00	81
	21/11/1 मिन	00	00	25		3/23/2 मिन	00	04	05
	21/11/2 मिन	00	09	61		3/24 मिन	00	13	41
	21/11/4 मिन	00	02	02		3/25/2/1 मिन	00	00	00
	21/12/1 मिन	00	00	25		3/25/2/2 मिन	00	02	28
	21/12/2 मिन	00	01	01		3/7/1 मिन	00	04	81
	21/18/2 मिन	00	01	01		3/8/2 मिन	00	07	59
	21/18/3 मिन	00	04	05		3/10/1 मिन	00	05	06
	21/19/2 मिन	00	04	05		3/10/2 मिन	00	03	04
	21/19/3 मिन	00	08	10		3/12/1 मिन	00	06	58
	21/20 मिन	00	00	25		3/13/1 मिन	00	10	63
	21/23/1 मिन	00	00	51		3/17 मिन	00	04	06
						3/18 मिन	03	03	29

1	2	3	4	5	1	2	3	4	5
प्रा द० न० 87 (जारी)	8/4 मिन	00	00	00	मानोसुर द० न० 81 (जारी)	1369 मिन	00	06	27
	8/5/1 मिन	00	08	60		1371 मिन	00	07	11
	8/5/2 मिन	00	03	29		1372 मिन	00	04	24
	8/16 मिन	00	01	26		1373 मिन	00	09	31
	8/17 मिन	00	00	25		1383 मिन	00	00	00
	8/19 मिन	00	00	26		1384 मिन	00	01	19
मनामपुर द० न० 80	27/18/2 मिन	00	00	00		1401 मिन	00	02	54
	27/23 मिन	00	12	14		1434 मिन	00	14	90
	27/24/1 मिन	00	01	52		1544 मिन	00	01	35
	28/3 मिन	00	00	25		1549 मिन	00	00	17
	28/4/1 मिन	00	06	83		1550 मिन	00	10	67
	28/4/2 मिन	00	05	57		1551 मिन	00	01	02
	28/5/2 मिन	00	04	0		1552 मिन	00	10	16
	28/6/1 मिन	00	01	77		1553 मिन	00	00	61
	28/6/2 मिन	00	07	59		1555 मिन	00	01	52
	29/10/2 मिन	00	07	59		1663 मिन	00	01	35
	29/11 मिन	00	06	59		1703 मिन	00	06	17
	29/12 मिन	00	10	37		1704 मिन	00	05	69
	29/18 मिन	00	09	11		1708 मिन	00	04	84
	29/19 मिन	00	03	54		1709 मिन	00	07	98
	29/66 मिन	00	02	53		1711 मिन	00	09	14
						1712 मिन	00	00	00
						1714 मिन	00	03	90
मानोसुर द० न० 81	1220 मिन	00	02	20		1717 मिन	00	02	71
	1221 मिन	00	10	67		1808 मिन	00	06	27
	1222 मिन	00	00	51		1809 मिन	00	05	59
	1227 घमन	00	07	76		1880 मिन	00	00	51
	1233 मिन	00	01	02		1882 मिन	00	04	91
	1234 मिन	00	08	80		1883 मिन	00	06	94
	1235 मिन	00	05	25		1929 मिन	00	08	12
	1236/2 मिन	00	06	10		1930 मिन	00	06	94
	1240 मिन	00	03	22		1931 मिन	00	04	24
	1241 मिन	00	10	16		1934 मिन	00	03	22
	1242 मिन	00	00	85		1935 मिन	00	08	87
	1243 मिन	00	01	19		1937 मिन	00	06	77
	1257 मिन	00	08	28		1938 मिन	00	02	88
	1265 मिन	00	07	28		1939 मिन	00	03	73
	1286 मिन	00	04	24		1989 मिन	00	01	86
	1268 मिन	00	05	76		1990 मिन	00	05	58
	1269 मिन	00	03	76		1994 मिन	00	01	86
	1271 मिन	00	04	24		1995 मिन	00	01	35
	1272 मिन	00	07	11		2000 मिन	00	00	51
	1274 मिन	00	09	14		2001 मिन	00	10	50
	1275 मिन	00	01	02		2002 मिन	00	01	02
	1348 मिन	00	01	02		2004 मिन	00	09	99
	1349 मिन	00	09	48		2005 मिन	00	00	17
	1349/1 मिन	00	04	74		2015 मिन	00	02	37
	1349/2 मिन	00	04	74		2016 मिन	00	08	80
	1350 मिन	00	00	17		2018 मिन	00	06	77
	1351 मिन	00	01	35		2019 मिन	00	04	91
	1354 मिन	00	10	16		2025 मिन	00	04	58
	1365 मिन	00	08	46					
	1366 मिन	00	02	71					
	1368 मिन	00	05	08					

New Delhi, the October, 1982

1 2 3 4 5

S. O. 3756...Whereas by a notification of Government of India in the Ministry of Petroleum, Chemicals and Fertilizer (Department of Petroleum) S.O. 440 dated 6-2-1982 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline.

And Whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And Further, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification.

Now Therefore in exercise of the power conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipelines.

And further, in exercise of the power conferred by Sub-section (4) of that section, the Central Government directs the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

TEHSIL STATE: NAME OF VILLAGE	PHAGWARA PUNJAB	DISTT. KAPURTHALA	AREA		
			H	A.	Sq. M.
1	2	3	4	5	
PHAGWARA EAST					
H. B. No. 73	289 Min	00	04	41	
	340 Min	00	03	39	
	341 Min	00	05	59	
	348 Min	00	04	07	
	349 Min	00	00	68	
	350 Min	00	03	73	
	351 Min	00	06	77	
	384 Min	00	04	58	
	385 Min	00	01	35	
	386 Min	00	06	44	
	387 Min	00	04	24	
	388 Min	00	00	34	
	431 Min	00	10	16	
	432 Min	00	05	42	
	433 Min	00	07	28	
	438 Min	00	01	86	
	439 Min	00	03	73	
	498 Min	00	04	07	
	499 Min	00	05	25	
	702 Min	00	01	69	
	703 Min	00	00	17	
	735 Min	00	03	22	
	736 Min	00	02	88	
	740 Min	00	12	87	
	743 Min	00	03	39	
	744 Min	00	06	27	
	789 Min	00	00	34	
	790 Min	00	05	25	
	4148/793 Min	00	07	96	
	794 Min	00	04	91	
	796 Min	00	07	62	

4832/798 Min	00	02	88
4149-50			
801 Min	00	00	17
6127/1759	00	00	00
1760 Min	00	05	93
1761 Min	00	04	74
1763 Min	00	01	52
1765 Min	00	05	93
1768 Min	00	07	45
1773 Min	00	05	59
1774 Min	00	07	96
1798 Min	00	06	27
6130/1759 Min	00	02	71
4321/1779 Min	00	01	16
1800 Min	00	09	82
1801 Min	00	02	54
1834 Min	00	05	25
1837 Min	00	01	85
1838 Min	00	06	61
1844 Min	00	00	68
1845 Min	00	01	02
1846 Min	00	05	93
1850 Min	00	05	25
1851 Min	00	00	17
1852 Min	00	02	71
1853 Min	00	00	68
1878 Min	00	01	52
1979 Min	00	02	20
1883 Min	00	07	79
1884 Min	00	01	86
1886 Min	00	01	86
1987 Min	00	03	56
1997 Min	00	00	17
1999 Min	00	01	86
2000 Min	00	01	02
2002 Min	00	03	39
2007 Min	00	03	39
2008 Min	00	02	03
2009 Min	00	03	73
2013 Min	00	02	03
2014 Min	00	03	56
2015 Min	00	03	56
2016 Min	00	00	34
2184 Min	00	01	52
3460 Min	00	00	34
3461 Min	00	04	91
3462 Min	00	03	05
3464 Min	00	06	44
3465 Min	00	04	58
3472 Min	00	00	85
3473 Min	00	08	29
3474 Min	00	04	24
3475 Min	00	03	90
3478 Min	00	00	85
3479 Min	00	02	71
3480 Min	00	02	20
3481 Min	00	02	20
3485 Min	00	00	34
3486 Min	00	01	02
3766 Min	00	06	27
3767 Min	00	04	91
3768 Min	00	02	54
3769 Min	00	03	05

1	2	3	4	5	1	2	3	4	5
Phagwara East	3781 Min	00	06	10	Hajipur H. No. 62	403 Min	00	01	01
H. No. 73	3782 Min	00	00	17	(--Contd.)	400 Min	00	00	25
	3783 Min	00	07	28		405 Min	00	01	77
	3784 Min	00	03	56		406 Min	00	12	65
	3790 Min	00	00	17		419 Min	00	07	08
	3791 Min	00	00	85	Phagwara West	1124 Min	00	02	20
	3792 Min	00	04	74	H. B. No. 74	1125 Min	00	03	05
	3794 Min	00	01	69		1126 Min	00	06	61
	3795 Min	00	02	37		1129 Min	00	01	62
	3902 Min	00	06	10		1135 Min	00	20	15
	3903 Min	00	05	42		1141 Min	00	11	68
	3904 Min	00	04	74		1142 Min	00	02	71
	3923 Min	00	06	10		1143 Min	00	03	90
	3925 Min	00	06	27		1144 Min	00	01	69
	3985 Min	00	01	02		1145 Min	00	01	02
	3986 Min	00	09	99	Palahi H. B. No. 60	7424 Min	00	09	87
	3987 Min	00	05	59		74/25 Min	00	00	25
	3988 Min	00	03	22		78/12/1 Min	00	02	28
	3989 Min	00	03	90		79/4/2 Min	00	02	02
	3990 Min	00	09	65		79/5/1 Min	00	03	79
	4006 Min	00	08	80					
Hajipur H. No. 62	6 Min	00	04	55	Chak Hakim	446 Min	00	01	19
	7 Min	00	04	55	H. B. No. 75	447 Min	00	04	41
	8 Min	00	09	36		448 Min	00	07	62
	554/22 Min	00	02	28		449 Min	00	01	19
	65 Min	00	01	01		455 Min	00	05	59
	67 Min	00	00	25		456 Min	00	02	88
	68 Min	00	13	91		457 Min	00	04	41
	69 Min	00	01	52		458 Min	00	00	17
	70 Min	00	13	16	KHANGOORA	62 Min	00	00	85
	71 Min	00	03	04	H. B. No. 76	63 Min	00	08	80
	74 Min	00	00	51		65 Min	00	03	90
	75 Min	00	13	66		67 Min	00	07	62
	76 Min	00	00	25		75 Min	00	03	56
	147 Min	00	09	36		76 Min	00	02	71
	148 Min	00	06	07		77 Min	00	00	17
	149 Min	00	01	52		78 Min	00	02	54
	459/150 Min	00	00	23		79 Min	00	00	85
	523/150	00	00	00		80 Min	00	00	00
	524/150 Min	00	07	08		81 Min	00	02	20
	154 Min	00	11	13		82 Min	00	05	93
	155 Min	00	04	55		106 Min	00	08	43
	159 Min	00	03	29		107 Min	00	04	41
	530/160 Min	00	01	52		113 Min	00	03	05
	531/160 Min	00	11	38		203 Min	00	00	85
	161 Min	00	01	26		293 Min	00	07	62
	177 Min	00	07	34		1006/302 Min	00	00	85
	182 Min	00	08	85		1007/302 Min	00	08	12
	183 Min	00	07	08		303 Min	00	04	58
	185 Min	00	06	58		310 Min	00	02	88
	186 Min	00	08	35		311 Min	00	09	82
	193 Min	00	06	83		312 Min	00	01	52
	205 Min	00	08	10		320 Min	00	00	17
	206 Min	00	07	34		321 Min	00	10	67
	207 Min	00	10	37		322 Min	00	00	68
	208 Min	00	07	84		323 Min	00	00	68
	381 Min	00	03	54		324 Min	00	10	67
	382 Min	00	07	84		325 Min	00	00	17
	386 Min	00	01	77		329/2 Min	00	01	69
	387 Min	00	04	81		330 Min	00	08	97
	389 Min	00	03	04		463 Min	00	00	00
	390 Min	00	11	58		464 Min	00	04	58
	401 Min	00	13	91		465 Min	00	06	24
	402 Min	00	13	10		466 Min	00	06	24
						473 Min	00	05	25
						474 Min	00	07	96

1	2	3	4	5	1	2	3	4	5
Khangoora	475 Min	00	03	90	ngal Majja	16/16 Min	00	04	30
H. B. No 7	478 Min	00	04	91	H. B. No. 86—Contd.	17/20 Min	00	11	64
Contd.	483 Min	00	00	85		16/21/2 Min	00	00	51
	525 Min	00	00	68		17/22 Min	00	09	36
	530 Min	00	02	54		17/23 Min	00	04	05
	531 Min	00	00	51		21/10/2 Min	00	00	00
	532 Min	00	08	12		21/11/1 Min	00	00	25
	533 Min	00	00	34		21/11/2 Min	00	09	61
	534 Min	00	03	90		21/11/4 Min	00	02	02
	552 Min	00	00	17		21/12/1 Min	00	00	25
	553 Min	00	00	17		21/12/2 Min	00	01	01
	555 Min	00	01	35		21/18/2 Min	00	01	01
	1016/580 Min	00	02	54		21/18/3 Min	00	4	05
	1017/580 Min	00	09	99		21/19/2 Min	00	04	05
	581 Min	00	01	02		21/19/3/ Min	00	08	10
	584 Min	00	10	16		21/20 Min	00	00	25
	585 Min	00	00	51		21/23/1 Min	00	00	51
	589 Min	00	09	65		21/23/2 Min	00	08	10
	591 Min	00	03	22		21/24/1 Min	00	00	76
	608 Min	00	06	61		21/24/2 Min	00	03	29
	609 Min	00	04	91		21/31 Min	0	01	52
	610 Min	00	07	96		21/32 Min	00	02	28
	904/2 Min	00	05	25		22/3/1 Min	00	06	58
	905 Min	00	05	42		22/3/2 Min	00	03	29
	906 Min	00	01	02		22/4/1 Min	00	05	12
	908 Min	00	07	62		22/4/2 Min	00	00	51
	910 Min	00	13	04		22/6 Min	00	11	38
	911 Min	00	00	17		22/7/1 Min	00	06	07
	921/1 Min	00	04	24		22/15 Min	00	02	28
	921/2 Min	00	00	85		29/4/2 Min	00	04	55
	921/3 Min	00	00	17		29/5/1 Min	00	05	06
NANGAL MAJJA	2/16 Min	00	00	25		29/5/2 Min	00	07	34
	2/17 Min	00	00	76		29/5/3 Min	00	00	25
	2/24 Min	00	03	79		29/6/1 Min	00	00	76
	2/25/1 Min	00	02	28		29/6/2 Min	00	00	25
	2/25/2 Min	00	00	51		30/1 Min	00	00	51
	2/25/3 Min	00	04	55		30/9/2/1 Min	00	00	25
	3/21 Min	00	01	77		30/9/2/2 Min	00	03	01
	9/20/3 Min	00	00	00		30/10/1 Min	00	00	76
	9/21 Min	00	11	13		30/10/2 Min	00	11	13
	9/22 Min	00	03	29		30/12/1 Min	00	05	31
	10/1/2 Min	00	05	57		30/12/2 Min	00	04	81
	10/1/3 Min	00	06	58		30/13/2 Min	00	06	83
	10/2/3 Min	00	04	30		30/18/1 Min	00	00	25
	10/8/1 Min	00	00	00		48/1 Min	00	03	04
	10/8/2 Min	00	06	32		51 Min	00	01	52
	10/9 Min	00	06	61		52 Min	00	02	53
	10/13/1 Min	00	01	26		70 Min	00	01	01
	10/13/2 Min	00	05	37		219 Min	00	01	01
	10/14 Min	00	09	36		220/1 to 6 Min	00	01	01
	10/16/1 Min	00	07	34		283 Min	00	04	05
	10/16/2 Min	00	04	05		285 Min	00	08	35
	10/16/3 Min	00	00	51		287 Min	00	01	01
	10/17/1 Min	00	03	22		288 Min	00	00	76
	10/25/2 Min	00	02	02		296 Min	00	00	76
	11/5/1 Min	00	00	25		307 Min	00	01	52
	16/1/2 Min	00	00	25		317 Min	00	01	25
	16/2 Min	00	12	65		3/17 Min	00	00	51
	16/3/2 Min	00	04	05		3/23/24 Min	00	04	05
	16/7/2/1 Min	00	04	81		3/2 Min	00	13	41
	16/7/3 Min	00	02	28		3/25/2/1 Min	00	00	00
	16/8/1 Min	00	10	12		3/25/2/2 Min	00	02	28
	16/14/2 Min	00	02	53		3/7/1 Min	00	04	81
	16/14/3 Min	00	04	05		3/9/2 Min	00	07	59
	16/15/1 Min	00	06	07		3/10/1 Min	00	05	06
	16/15/2 Min	00	00	25		3/10/2 Min	00	04	04

Mundra H. B. No. 87

1	2	3	4	5	1	2	3	4	5
Meara	3/12/1 Min	00	06	58	Madhopur	1544 Min	00	01	35
H.B. No. 87—Contd.	3/13/1 Min	00	10	63	H. No. 81—Contd.	1449 Min	00	00	17
	3/17 Min	00	04	05		1550 Min	00	10	67
	3/18 Min	00	03	29		1551 Min	00	01	02
	8/4 Min	00	00	00		1552 Min	00	10	16
	8/5/1 Min	00	08	60		1553 Min	00	00	51
	8/5/2 Min	00	03	29		1555 Min	00	01	52
	8/16 Min	00	01	26		1556 Min	00	08	63
	8/17 Min	00	00	25		1663 Min	00	01	35
	8/18 Min	00	00	76		1703 Min	00	06	27
Bhagwanpura	27/18/2 Min	00	00	00		1704 Min	00	05	59
H. No. 80	27/23 Min	00	12	14		1708 Min	00	04	64
	27/24/1 Min	00	01	52		1709 Min	00	07	96
	28/3 Min	00	00	25		1711 Min	00	09	14
	28/4/1 Min	00	06	83		1712 Min	00	00	00
	28/4/2 Min	00	05	37		1714 Min	00	05	90
	28/5/2 Min	00	04	30		1717 Min	00	02	71
	28/6/1 Min	00	01	77		1808 Min	00	06	27
	28/6/2 Min	00	07	59		1809 Min	00	05	59
	29/10/2 Min	00	07	59		1882 Min	00	04	91
	29/11 Min	00	06	59		1883 Min	00	06	94
	29/12 Min	00	10	37		1929 Min	00	08	12
	29/18 Min	00	09	11		1930 Min	00	08	94
	29/19 Min	00	03	54		1931 Min	00	04	24
	29/66 Min	00	02	53		1934 Min	00	03	22
						1935 Min	00	08	87
Madhopur	1220 Min	00	02	20		1937 Min	00	06	77
H.N. 81	1221 Min	00	10	67		1938 Min	00	02	88
	1222 Min	00	00	51		1939 Min	00	03	73
	1227 Min	00	07	96		1989 Min	00	01	86
	1233 Min	00	01	02		1990 Min	00	05	58
	1234 Min	00	08	80		1994 Min	00	01	86
	1235 Min	00	05	25		1995 Min	00	01	35
	1236/2 Min	00	06	10		2000 Min	00	00	51
	1240 Min	00	03	22		2001 Min	00	10	50
	1241 Min	00	10	16		2002 Min	00	01	02
	1242 Mkn	00	00	85		2004 Min	00	09	99
	1243 Min	00	01	19		2005 Min	00	00	17
	1257 Min	00	08	29		2015 Min	00	02	37
	1265 Min	00	07	28		2016 Min	00	08	80
	1266 Min	00	04	24		2018 Min	00	06	77
	1268 Min	00	05	76		2019 Min	00	04	91
	1269 Min	00	05	76		2025 Min	00	04	43
	1271 Min	00	04	24					
	1272 Min	00	07	11					
	1274 Min	00	09	14					
	1275 Min	00	01	20					
	1348 Min	00	01	02					
	1349 Min	00	09	48					
	1349/1 Min	00	04	74					
	1349/2 Min	00	04	74					
	1350 Min	00	00	17					
	1351 Min	00	01	35					
	1354 Min	00	10	16					
	1365 Min	00	08	46					
	1366 Min	00	02	67					
	1368 Min	00	05	08					
	1369 Min	00	06	27					
	1371 Min	00	07	11					
	1372 Min	00	04	24					
	1373 Min	00	09	31					
	1383 Min	00	00	00					
	1384 Min	00	01	19					
	1401 Min	00	02	54					
	1434 Min	00	14	90					

(4) महायक श्रम प्रायुक्त (मुख्यालय), तमिलनाडू सरकार, मुख्यालय कर्मकारों का प्रतिनिधित्व करने वाले तत्वस्थ।—

(1) श्री एम० कल्याणासुदरम् } मद्रास हारबर बर्क्स बूनिंच के
} प्रतिनिधि
(2) श्री टी० एलुमलाई }
(3) श्री जी० कालन } मद्रास पोर्ट व डॉक कार्गेस के
} प्रतिनिधि
(4) श्री ई० नारायणस्वामी }
डॉक कर्मकारों और नौवक्तन कंपनियों के नियोजकों का प्रतिनिधि
करने वाले तत्वस्थ।—

(1) श्री आर० के० वद्वानारायण मद्रास स्टोरिंग्स एसोसिएशन के
(2) श्री शी० आर० रेडी } प्रतिनिधि

(3) श्री आर० गोपालगांग मद्रास प्रतिनिधि इंडियन नेवल लिप-
(4) श्री ई० ताराकेश्वर प्रोन्ट एसोसिएशन का प्रति-
निधि

2. केन्द्रीय सरकार श्री बी० सेल्वाराज अध्यक्ष, मद्रास पत्तन स्वामी, मद्रास को उक्त बोर्ड के अध्यक्ष के रूप में नियुक्त करती है।

[प्रम० एस० डी० एम०/6/82-भ० एस० (एस०)]
तोमास माथूर, अध्यक्ष, मद्रास प्रविधि

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 29th October, 1982

S.O. 3757:—In exercise of the powers conferred by sub-sections (3) and (4) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints the following persons as members of the Madras Dock Labour Board established under sub-section (1) of the said section 5A, namely:—

Members representing the Central Government:—

(1) The Chairman, Madras Port Trust, Madras.
(2) The Deputy Chairman, Madras Dock Labour Board, Madras.
(3) The Traffic Manager, Madras Port Trust, Madras.
(4) The Assistant Commissioner of Labour (Head Quarters), Government of Tamilnadu, Madras.

Members representing the Dock workers:—

(1) Shri M. Kalayana- } Representatives of the Madras
sundaram }
(2) Shri T. Elumalai } Harbour Worker's Union.
(3) Shri G. Kalan } Representatives of the Madras.
(4) Shri E. Narayanaswamy Port & Dock Workers Congress.
Members representing the Employers of Dock Workers & Shipping Companies:—
(1) Shri R. K. Vardharayanan Representatives of Madras
(2) Shri V.R. Reddy Stevedores' Association.
(3) Shri R. Ramkrishna Representative of Overseas
Shipping Interests.

(4) Shri S. Tarakesan

Representative of Indian
National Shipowners' Association.

2. The Central Government hereby nominates Shri V. Selvaraj, Chairman, Madras Port Trust, Madras as the Chairman of the said Board.

[File No. LDM/6/82-US(L)]

S/—

THOMAS MATHEW, Under Secy.

पर्यावरण और नागर विभाग संत्रालय

दहोरी, 30 सितम्बर, 1982

का० आ० 3758—सरकारी स्थान (प्राविधिक प्रधिकारियों की वेश्वाली) प्रधिनियम, 1971 (1971 का 40) को धारा 3 द्वारा प्रदत्त विवरणों का प्रयोग करते हुए पर्वेट और नागर विभाग संबंधित में भाग सरकार द्वारा। जारी की गई प्रविसूचना सं० एस० आ० 3126 दिनांक 30 सितम्बर, 1981 का आधिकारिक रूप से उत्तरांग करते हुए, केन्द्रीय सरकार एन्ट्रेप्रायर नीचे दी गयी सारणी के कालम (1) में उल्लिखित प्रधिकारी को सरकार के एक राजप्रतिनिधिकारी के रैके के बराबर का प्रधिकारी नियुक्त करती है और जो उक्त प्रधिकारियम के प्रयोजनार्थ संपर्क प्रधिकारी होंगे जो उक्त सारणी के कालम (2) में नस्थानी प्रविसूचित में विनियिष्ट सरकारी स्थानों के बारे में अपने कार्यक्षेत्र की स्थानीय सेवाओं के अन्तर्गत रहते हुए प्रदत्त विवरणों का प्रयोग करेंगे और उक्त प्रधिनियम द्वारा अधिक उसके अन्तर्गत संपर्क प्रधिकारी के लिए प्रधिरोधित करनेवाले का नियन्त्रण करेंगे।

सारणी

प्रधिकारी का पदनाम

सरकारी स्थान की श्रेणी और कार्य-
भेद की स्थानीय सीमाएँ

प्रधानक प्रबन्धक (कार्यिक) भारत
पर्वेट विकास निगम लिमिटेड,
हॉटल गोलाक, साई ग्राउंड,
कृष्णारा कुपा, बंगलौर।

भारत पर्वेट विकास निगम लिमिटेड के प्रबन्ध उनके द्वारा पट्टे पर लिए गए सभी परिसर और जो कर्नाटक राज्य में प्रवस्थित होंगे।

[सं० प०-11015/6/78-पी० एस० ध० (पर्वेट)]
जारी काल बोपडा, निदेशक

MINISTRY OF TOURISM

New Delhi, the 30th September 1982

S.O. 3758:—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 40 of 1971 and in partial modification of the notification No. S.O. 3126 dated 30th September 1981 issued by the Government of India in the Ministry of Tourism and Civil Aviation, the Central Government hereby appoints the officer mentioned in column (1) of the Table below being an officer equivalent to the rank of gazetted officer of the Government to be estate officer for the purpose of the said Act who shall exercise the powers conferred and perform the duties imposed on estate officer by or under the said Act, within the local limits of the jurisdiction in respect of public premises specified in the corresponding entry in column (2) of the said Table.

TABLE

Designation of the officer	Categories of public premises and local limits of the jurisdiction.
(1)	(2)
Assistant Manager, (Personnel), Delhi Tourism Development Corporation Ltd., Hotel Ashok, High Grounds, Kumara Krupa, Bangalore.	All premises belonging to or taken on lease by Delhi Tourism Development Cor- poration Ltd., and situated in the State of Karnataka.

[No. U-11015/6/78-PSU(Tourism)]

S. L. CHOPRA, Director

निम्नण और आयास संशोधन

(दिल्ली प्रभाग)

नई दिल्ली, 30 मिस्रवर, 1982

का० आ० 3759—यह केन्द्रीय सरकार का नियमित क्षेत्र के बारे में दिल्ली की वृहत योजना में कलिय संशोधन करने का प्रस्ताव है। दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 44 में उपर्योग के अनुमान दिल्ली विकास प्राविकरण द्वारा दिनांक 13 मार्च, 1982 को नोटिस सं० एफ० 1 (4) / 67 प्र० १० पी० के साथ प्रकाशित किया गया था जिसमें उक्त नीटिय की तारीख में 30 दिन के भीतर उक्त अधिनियम की धारा 11 का उपयोग (3) में अप्रैलिय सुमात्रा मार्ग गये थे;

और यह उक्त संशोधन के बारे में आयासी सुमात्रा पर विवार करने के बाव केन्द्रीय सरकार ने दिल्ली की वृहत योजना में संशोधन करने का निर्णय लिया है।

अब यदि केन्द्रीय सरकार उक्त अधिनियम की धारा 11 की उपयोग (2) द्वारा प्रदत्त अवधियों का प्रयोग करते हुए, दिल्ली की वृहत योजना में भारत के राजवास में इस अधिसूचना के प्रकाशन की तारीख से निम्नलिखित उपलब्ध करनी है, अर्थात्:—

संशोधन : “वर्तमान पालिम हवाई प्रष्टे के वर्जन में स्थित सराबर 1362.79 है० (3357.45 एकड़ा) पूर्व का उपयोग “कृषि हरिन पट्टी” एवं “ग्रामीण” ग्रामीण उपयोग थोकों से अल्प विक्षिय हवाई प्रष्टे के भारी विस्तार हेतु “सचरण” में बदला जाता है।”

[सं० क०-13011/11/81-डी० ए० II प]

क० क० सक्षमता, बैंक अधिकारी

MINISTRY OF WORKS AND HOUSING

(Delhi Division)

New Delhi, the 30th September, 1982

S.O. 3759.—Whereas certain modifications, which the Central Government proposes to make in the Master Plan for Delhi regarding the areas mentioned hereinbelow, were published with Notice No. F. 1(4)/67-MP dated 13th March, 1982 in accordance with the provisions of section 44 of the Delhi Development Act, 1957 (61 of 1957) inviting objection/suggestions, as required by sub-section (3) of section 11-A of the said Act, within thirty days from the date of the said notice;

And whereas, the Central Government after considering the objections and suggestions with regard to the said modifications have decided to modify the Master Plan for Delhi;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 11-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi with effect from the date of publication of this modification in the Gazette of India, namely :—

MODIFICATION :

“The land use of an area, measuring 1362.79 Hects. (3367.45 acres), situated on the south of existing Palam Airport, is changed from ‘agricultural green belt’ and ‘rural’ use zones to ‘circulation’ for the future expansion of International Airport.”

[No. K-13011/11/81-DDIIA]

K. K. SAXENA, Desk Officer

संचार संशोधन

(दिल्ली दोई)

नई दिल्ली, 22 अक्टूबर, 1982

का० आ० 3760—स्थायी ग्रामीण संक्षा० 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गए भारतीय तार नियम, 1951 के नियम 434 के अंडा III के पैरा (क) के अनुमान आकाश आकाश भवानिवेशक ने पृष्ठ टेलीफोन केन्द्र में दिनांक 16-11-82 से प्रसाधित दर प्रणाली लागू करने का निष्क्रिय किया है।

[सं० 5-5/82 पी० ए० ए० बी०]

विनोदी नाथ, ग्रामीण महाप्रबन्धक (ई०पी०)

MINISTRY OF COMMUNICATIONS

(P&T Board)

New Delhi, the 22nd October, 1982

S.O. 3760.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-11-1982 as the date on which the Measured Rate System will be introduced in PEHOWA and CHAMBA Telephone Exchange N.W. Circle.

[No. 5-5/82-PHB]

TRILOKI NATH, Asstt. General Manager (DP)

नई दिल्ली, 30 अक्टूबर, 1982

का० आ० 3761—स्थायी ग्रामीण संक्षा० 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के अंडा III के पैरा (क) के अनुमान आकाश भवानिवेशक ने पृष्ठ टेलीफोन केन्द्र में दिनांक 16-11-82 से प्रसाधित दर प्रणाली लागू करने का निष्क्रिय किया है।

[सं० 5-9/82-पी० ए० बी०]

आ० ए० सं० कटारिया, ग्रामीण महानिवेशक (ई०पी० बी०)

New Delhi, the 30th October, 1982

S.O. 3761.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 16-11-1982 as the date on which the Measured Rate System will be introduced in PUSAD Telephone Exchange, Maharashtra Circle.

[No. 5-9/82-PHB]

R. C. KATARIA, Asstt. Director General (PHB)

MINISTRY OF LABOUR AND REHABILITATION

New Delhi, the 6th November, 1982

S.O. 3762.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the management of Western Coalfields Limited, Kanhan Area, and their workmen, which was received by the Central Government on the 19th October, 1982.

BEFORE JUSTICE SHRI S. R. VYAS (RETD.) PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)
Case No. CGIT/LC(R)(38) of 1981

PARTIES :

Employers in relation to the management of Western Coalfields Limited, Kanhan Area District Chhindwara and their workman, Shri Birendra Dubey, represented through the B.K.K.M Sangh (BMS) P.O. Chandametta, District Chhindwara (M.P.)

APPEARANCES :

For Workman—Shri S. B. Singh, President of the Sangh and Shri V. Dubey.

For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Coal DISTRICT : Chhindwara (M.P.)
AWARD

Dated, the 12th October, 1982

The Central Government in the Ministry of Labour has referred the following dispute to this Tribunal for adjudication vide Notification No. 1-22012(10)/81-D.IV(B) Dated 28th September, 1981 :—

“Whether the action of the management of W. C. Ltd., in relation to their Damua Colliery, P.O. Damua Distt. Chhindwara in not regularising Shri Birendra Dubey as Works Supervisor is justified? If not, to what relief is the concerned workman entitled and from what date?”

2. Briefly stated the facts giving rise to this reference are as under :—

The workman, Shri Birendra Dubey (also referred to as Shri Veerndra) hereinafter referred to as the workman, is an employee of the Western Coalfields Ltd. in the Damua Colliery, District Chhindwara. He claims to have worked as a Works Supervisor in the Civil Department of the Colliery under the Civil Engineer.

The Junior Executive Engineer (Trainee) is said to have recommended his name vide Ex. M/2 dated 1st May, 1976 for regularisation as Works Supervisor. The management, according to the workman, despite this recommendation did not consider his name and the Departmental Promotion Committee considered the names of other persons who were not so recommended. The workman in these circumstances alleges discrimination and deliberate omission of his name for being considered and consequent regularisation as a Works Supervisor. This attitude, according to the workman, is an act of unfair labour practice by the management. A prayer is accordingly made that the workman should be regularised as Works Supervisor in Clerical Grade II and paid such wages as are admissible to that post.

3. The reply of the management is that promotion of a workman from a lower to the higher post is purely a managerial function and that on such a matter no reference could and ought to have been made to this Tribunal. It is further urged by the management that the workman was initially employed in the Civil Construction Section as a Casual Mazdoor and paid wages under the Minimum Wages Act. The management denies the claim of the workman about his working as a Works Supervisor. While admitting that the name of the workman was included in the recommendation Ex. M/1 but this inclusion, according to the management, was due to mistake and when this mistake, according

to the management, was noticed his name was deleted and only those who were eligible for that post were considered by the Departmental Promotion Committee and recommended for regularisation. Other allegations made against the management were denied.

4. In his rejoinder the workman repeated his claim about his having worked as a Works Supervisor from 22-12-1974 to 15-6-1978. He further extended that having worked on this post for more than 240 days he was entitled to be regularised and that on merits he was entitled to the regularisation claimed by him.

5. The management in their rejoinder denied the allegations made by the workman in the statement of claim.

6. On the respective claims of both the parties the following issues were framed :—

ISSUES

1. Whether on the facts alleged in the statement of claim and rejoinder of the parties, management of Damua Colliery was justified in not regularising Shri Birendra Dubey as Works Supervisor?

2. Relief ?

7. My findings on the aforesaid issues are as under :—

1. The workman Shri Birendra Dubey (Shri Veerndra Dubey) is entitled to be regularised as a Work Supervisor for the reasons given below.

2. Relief as per order passed below.

Findings with reasons :

8. Issue No. 1.—In this case though some documentary evidence has been filed by the workman yet on oral evidence has been given by him. Oral and documentary evidence has been given only by the management.

9. M.W. 1 Shri Hazare, Executive Engineer (Civil) has stated that while he was in the Damua Colliery the workman worked under him on wages permissible under the Minimum Wages Act and that he never worked as a Works Supervisor. He further says that he had recommended his name to the management for giving him a regular appointment of General Mazdoor Category I and that the workman was not qualified to be appointed as a Works Supervisor for the reasons given by him in the statement. He, however, admits that Ex. M/1 is his recommendation to the management regarding Shri Veerndra Dubey. In this recommendation Ex. M/1, six names have been included and the name of Shri Veerndra Dubey S/o Kamal Prasad is the 6th name written in ink (other names being typed) for appointment as Category I Mazdoor. Shri Nagesh Rao (M.W. 2) is the next witness who stated that from 1974 to 1976 the workman worked under him as a Casual Mazdoor on daily wages and that at no time he worked as a Works Supervisor.

10. Last and in my opinion is the most important witness of the management is Shri Bakshi (M.W. 3) the Deputy Personnel Manager of the Colliery. He has stated that vide Ex. M/1 the workman's name was recommended by M.W. 1, Shri Hazare. Lastly he has stated that the workman, Shri Birendra Dubey, had no experience as a Works Supervisor.

11. As the workman was not present when the management's evidence was recorded some information was sought from this witness by way of some questions by the Tribunal. The workman had filed a list Ex. C/1 in which this witness himself had at Sl. No. 6 named the workman. Shri Veerndra Dubey, as one of the employees as working as a Works Supervisor and directing the Junior Engineer Trainee including other six, to appear before the Departmental Promotion Committee on 28-1-1977 for interview. There is another letter Ex. C/2 dated 13th November, 1976 in which the Personnel Officer of the management had in para 3 of this letter stated that the Junior Engineer Trainee(C) has requested for regularisation of one worker under the Minimum Wages Act for appointment under the National Coal Wage Agreement. Attention of M.W. 3 was drawn to Ex. C/1 as also Ex. C/2. He tried to explain that due to typing mistake by the steno the name of Shri Birendra Dubey was included in Ex. C/1 wherein he was shown as working as a Works Supervisor and was asked to appear before the Departmental Promotion Committee. The witness admitted

in the last part of his statement that in Ex. C/2 the workman referred as the workman working under the Minimum Wages Act was Shri Birendra Dubey.

12. The witness was partly examined on 9-7-1982 and his further examination was reserved for 14-7-1982 and he was asked to go through the necessary records in the office relating to the meeting of the D.P.C.

13. On being questioned by the Tribunal on 11-7-82 the witness stated that on 28-1-1977 there was no meeting of the D.P.C. as per Ex. C/1 and that the next meeting of the D.P.C. was held on 24-4-1978. He admitted that no information was given of this meeting to the workers named in Ex. C/1. Minutes of the D.P.C. held on 24-4-1978 have been filed as Ex. C/3. In this meeting there is no reference to the name of Shri Birendra Dubey being considered. It will be surprising that on 24-1-1977 (vide Ex. C/1) the Senior Personnel Officer had included the name of the workman, Shri Birendra Dubey, as a candidate working as Works Supervisor in the Damua Colliery and asked him to appear before the Departmental Promotion Committee on 28-1-1977. M.W. 3, Shri Bakshi, admits that no intimation was given to the seven workmen including Shri Birendra Dubey that there will be no meeting of the D.P.C. on 28-1-1977. He, however, tried to explain that they were orally informed. There is no notice placed on the record of these proceedings, as to how and under what circumstances the name of Shri Birendra Dubey was deleted in the list of candidates whose names were considered by the D.P.C. in its meeting dated 24-4-1978, the minutes of which have been filed as Ex. C/4. It is, therefore, clear that though initially vide Ex. C/1 the name of the workman was recommended as a candidate working as Works Supervisor for being considered in the D.P.C., but for reasons best known to the management something intervened and the D.P.C. did not meet on 28-1-1977 but met on 24-4-1978 when name of the workman, Shri Birendra Dubey, was not at all considered. In fairness to the workman and to this Tribunal also the management should not have withheld the necessary records to justify the omission of the name of the workman for being put up before the D.P.C. when it met on 24-4-78. It is, therefore, clear that the management is trying to withhold from and not disclose to this Tribunal the relevant materials because of which the just claim of the workman could have been decided against it.

14. In what particular capacity the workman was working and paid was a matter on which the pay sheets and other relevant accounts books of the Colliery could have thrown the necessary light. The attendance register of the relevant period should also have been produced before this Tribunal to decide as to what actual work done by the workman before his name was recommended vide Ex. C/1 on 24-1-1977. The fact that the relevant record has not been produced and has been deliberately withheld leads to the only conclusion that if such record has been produced it would have supported the case of the workman and not the management.

15. The fact that the workman was working as Works Supervisor, though he might be holding another substantive post as alleged by the management, is clearly borne out from Ex. C/1 which is a communication addressed by the Senior Personnel Officer to the Junior Engineer Trainee (Civil) of the Colliery. From the endorsement to Ex. C/1, it is also clear that all the seven workmen including the present workman were asked to attend the office of the Personnel Officer for going before the D.P.C. If on 24-1-1977, the date on which the letter Ex. C/1 was addressed by the Senior Personnel Officer to the Junior Engineer Trainee, Damua Colliery the workman, Shri Birendra Dubey, was not working as a Works Supervisor from before then there was no question of his name being included as one of the candidates working as Works Supervisor since before the issuing of this letter. The excuse now put forward by M.W. 3 that the name was included due to an error by the Stenographer is an excuse which cannot be accepted on any invalid ground. The omission to consider his name by the D.P.C. was, in my opinion, deliberate and not due to any accidental slip as alleged by M.W. 3, Shri Bakshi.

16. Having thus considered the oral and documentary evidence given by the management itself as also the documents Ex. C/1 to C/4 I have no hesitation in concluding

that since before 24-1-1977 when Ex. C/1 was addressed by the Senior Personnel Officer the workman, Shri Birendra Dubey, was working as a Works Supervisor and that when the D.P.C. met either on 28-1-1977 (as indicated in Ex. C/1) or on 24-4-1978 (as per Ex. C/4) the claim of the workman, Shri Birendra Dubey, was required to be considered.

17. The question is as to what is the effect of his name being omitted for reasons which cannot be attributed by the workman himself. I have already held above that the relevant record has not been produced in this case and the documents which have been produced go to establish that since before 24-1-1977 when Ex. C/1 was issued, the workman, Shri Birendra Dubey, was working as a Works Supervisor. Accordingly, in my opinion, Shri Birendra Dubey, is entitled to be regularised at least from the date of the next meeting of the D.P.C. on 24-4-1978. By that date the workman must have completed 240 days on the post of Works Supervisor (Civil) because there is a clear admission in Ex. C/1 dated 24-1-1977 that Shri Birendra Dubey is working as Work Supervisor. So counted from 24-1-1977 to 24-4-1978 the workman had completed 240 days and at least from the later date he is entitled to be regularised as Works Supervisor in Clerical Grade II and paid wages and other allowances admissible to that post.

18. Issue No. 2.—Accordingly for the reasons given above, the management is directed to regularise the workman, Shri Birendra Dubey also referred to as Shri Veerendra Dubey S/o Kamal Prasad, an employee of the Damua Colliery on the post of Works Supervisor, Civil Department from 24-4-1978 in Clerical Grade II. He shall be entitled to and be paid wages, allowances and other benefits admissible to the post of Works Supervisor, Clerical Grade II, with effect from 24-4-1978.

In the circumstances of the case, there will be no order as to costs. Award is made accordingly.

S. R. VYAS, Presiding Officer
[No. L-22012(10)/81-D.IV(B)]

New Delhi, the 29th October, 1982

S.O. 3763.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 3, Dhanbad in respect of complaint under Section 33A of the said Act filed by Shri Balram Mahato and 5 others against the management of Jamadoba Colliery of (TISCO) which was received by the Central Government on the 18-10-1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Complaint Case No. 1/81

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Shri Balram Mahato and 5 others Coal Transport Workers (CTW), Jamadoba Colliery, C/o Rashtriya Colliery Mazdoor Sangh, Rajendra Path, Dhanbad.
...Complainants

Vs.

The Manager (OPN), Jamadoba Colliery, Through, The General Manager (Collieries), TISCO Ltd., at and P. O. Jamadoba (Dhanbad) ...Opp. Party.

APPEARANCES :

For the Complainants—None.

For the Opp. Party—Sri S. N. Sinha, Cr. Personnel Officer.

INDUSTRY : Coal

STATE : Bihar

Dated, the 12th October, 1982

AWARD

This is a Complaint U/S 33A of the Industrial Disputes Act, 14 of 1947 filed by Sri Balram Mahato and 5 others against the Manager, Jamadoba Colliery of T.I.S. Co.

2. It is alleged that the complainants are workmen employed in the capacity of coal transport workers in the Scrapper District of Jamadoba Colliery managed by the opp. party and that their jobs are different from that of conventional trammers in the coal mining industry. It is alleged that an Industrial Dispute being Reference No. 12/79 is pending before this Tribunal U/S 10 of the Industrial Disputes Act. But during the pendency of the said reference the applicants have been transferred to the conventional district to work in the trammimg section. It is submitted that the said transfer has affected their condition of service and the said transfer, therefore, is illegal.

3. The opp. party in their written statement has opposed the case of the complainants. It is submitted by the management that there has been no change in the condition of service of the applicants by the alleged transfer. It is submitted that on 25-5-78 the management sanctioned the post of 10 coal transport workers for the new district commonly known as Mini District and 35 posts of coal transport workers were already existing for the Scrapper District. As per sanction of the above 10 posts, four complainants along with six others were promoted from Mine and other categories to coal transport workers on and from 21-6-1978. The Coal Transport Workers were previously being paid Category IV wages under the Coal Wage Board recommendation but subsequently by agreement with the union on 10-2-77 they were upgraded to Category V and irrespective of the Section and the District of their working the wages payable to them is of Category V.

4. It is submitted that due to certain exigencies the complainant worked in the Scrapper District for some time and then again came back to the new District and this according to the complainants was transfer. But according to the management coal transport workers internally are sent from Mini District to Scrapper District and from Scrapper to Mini District due to exigencies of work and it is by way of internal transfer which does not affect the terms and conditions of service of the coal transport workers. There was also no change in their pay. It is denied that the complainants have been allowed the work of trammimg instead of coal transport workers. They in fact are performing the work of coal transport workers even at present. It is, therefore, submitted that the complaint petition be dismissed.

5. It may be stated that inspite of fresh notice the complainants did not appear on the date of hearing and hence argument of the management was heard and award was reserved.

6. It cannot be disputed that Section 33A of the Industrial Disputes Act comes into operation only when an employer contravenes the provisions of section 33 during the pendency of proceedings before a Labour Court or Tribunal. Section 33 provides that during the pendency of any proceeding before a Labour Court or Tribunal no employer shall in regard to any matter connected with the dispute, alter to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding. In the present case there is no evidence to show that by the alleged transfer there was any change in the condition of service of the complainants nor their prejudice. In fact no prejudice has been alleged in the complaint petition. Further it will appear that the complainants were working as coal transport worker in category V and they are still working in the same category with the same pay and other emoluments. The only thing is that they were previously working in scrapper district but now they have been sent to Mini district. This is by way of an internal transfer not to the prejudice of the concerned workmen nor it has affected their conditions of service. Their wages are also not affected.

7. In such circumstances, it is held that the present complaint petition is not maintainable and it is dismissed.

8. The award is given accordingly.

J. N. SINGH, Presiding Officer
[No. L-42012(1)/82-D.IV(B)]
S. S. MEHTA, Desk Officer

अम एंब पुनर्वास मंत्रालय

भारत

नंद दिन्द, 10 अगस्त, 1982

क्रा० आ० 3764—केन्द्रीय सरकार की राय है कि इसमें उपायक अनुबंध में विनियोग विषय के बारे में दृष्टिकोणित पतन स्थान के प्रबंधन से पर्वत एवं श्रीधोगर विश्वाव नियोजन थोर उनके कर्मकारों के बीच विवाद है.

प्रांत केन्द्रीय सरकार उक्त विवाद को न्यायानिर्णय के लिए निर्देशित करना वाठीय समझती है;

प्रा०, केन्द्रीय सरकार, भौद्योगिक विवाद अधिकार्यम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपशारा (1) के बहु (2) द्वारा प्रदत्त नियमों का प्रयोग करने होए, एक भौद्योगिक प्रभिकरण गठन करती है जिसके पीठासोन अधिकारी श्री ई० अमरशराज होंगे, जिनका मुख्यालय मध्याम मध्याम में होगा और उक्त विवाद को उक्त अधिकरण को न्यायानिर्णय के लिए निर्देशित करनी है।

भूसूची

“क्या दृष्टिकोणित पतन स्थान भून्यूब छोडे पतन में संशोधन वाला मुकाबलन स्थान अधीक्षा एवं जारी सोन्दर केरनात्तो, विजली मिस्ट्री श्री० १ और श्री० बैलालान्डियन, शाहवर (वाटर बार्ज) को १-४-७६ में भून्यूब प्रभाव से बड़े पतन में कमशा विजली मिस्ट्री श्री० २ और शाहवर श्री० ३ के रूप में पुनर्वास करने वाला थोरा थोरा श्री० बैलालान्डियन को १-४-१९७९ से श्रीजर के रूप में पुनर्वास करने से व्यापक है? यदि नहीं, तो संविधित कर्मकारी विषय अनुसूची के हृष्टार हैं?

[मं. ए० -४४०१२(२)/८१- श्री० ४८०]

ORDER

New Delhi, the 10th August, 1982

S.O. 3764.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Tuticorin Port Trust and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Arulraj shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the Tuticorin Port Trust were justified in redesignating Saivashri M. Balasubramaniam and M. George Londer Fernando, Electricians, Grade-I and Shri V. Chellapandian, Driver (Water Barge) in the erstwhile minor port as Electricians Grade-II and as Driver-Grade-III respectively in the major port with retrospective effect from 1-4-76 and again in redesignating Shri V. Chellapandian as Greaser with effect from 1-4-1979? If not, to what relief are the concerned workmen entitled?”

[No. L-44012(2)/81-D.IV(1)]

भारत

तर्फ दिल्ली, 25 अगस्त, 1982

क्रा० आ० 3765.—इस तर्फ उपर्युक्ती में विनिरिट औद्योगिक विवाद श्री बी० प्रसाद राव, पीठासीन अधिकारी, औद्योगिक अधिकरण, हैदराबाद के समय खित है;

और श्री बी० प्रसाद राव की सेवाएँ भव उपलब्ध नहीं रह गई हैं;

प्रत., केंद्रीय सरकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33-B की उपधारा (1) के साथ पठित धारा 7 के द्वारा प्रदत्त गतियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एस० बी० रामन रेड्डी होंगे, जिसका मुख्यालय हैदराबाद में होगा और उक्त श्री बी० प्रसाद राव, पीठासीन अधिकारी, औद्योगिक अधिकरण, हैदराबाद के समय खित उक्त विवाद से संबंधित कार्यवाही को वापस लेती है और उसे श्री एस० बी० रामन रेड्डी; पीठासीन अधिकारी, औद्योगिक अधिकरण, हैदराबाद को इस निवेश के साथ प्रस्तुत करती है कि उक्त अधिकरण आगे कार्यवाही उस प्रकाम से करेगा, जिसपर वह उसे प्रस्तुत की जाती है तथा विधि के अनुसार उसका निपटान करेगा।

अनुसूची

प्रत्येक संघर्ष श्रीरातोर्क

पक्षकारों के नाम

भारत सरकार, अम मंसालय, तर्फ भारतीय व्याप नियम, नैलोर दिल्ली का प्रादेश सं० एल-42011/ का प्रबंधन और इसके 16 29/81/दी-4(ए) सारोर्क 21 कर्मकार अद 1982

[मंविम एल-42011/29/81 दी-4(ए)]
टी० बी० सीतारमन, ईस्क अधिकारी

ORDER

New Delhi, the 25th August, 1982

S.O.3765 : - Whereas, the industrial dispute specified in the Schedule hereto annexed is pending before Shri B. Prasada Rao, the Presiding Officer, Industrial Tribunal, Hyderabad;

And whereas the services of Shri B. Prasada Rao are no longer available;

Now, therefore, in exercise of the powers conferred by section 7A read with sub-section(1) of section 33B of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, the Presiding Officer of which shall be Shri S.U.V. Ramana Reddy with headquarters at Hyderabad and withdraws the proceedings in relation to the said dispute pending before the said Shri B. Prasada Rao, Presiding Officer, Industrial Tribunal, Hyderabad and transfers the same to Shri S.V. Rama Reddy, Presiding Officer, Industrial Tribunal, Hyderabad, with the direction that the said Tribunal shall proceed with the proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

Number and Date of the Order	Name of the parties
(1)	(2)
Order No. L-42011/29/81-D-IV-A dated the 21st May, 1982 from Government of India, Ministry of Labour, New Delhi.	16 workmen and the management of Food Corporation of India, Nellore.

[No. L-42011/29/81/DIV-A]

New Delhi, the 21st October, 1982

S.O. 3766.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 1, Bombay in the industrial dispute between the employers in relation to the management of Messrs N. Jamnadas and Company, Bombay and their workmen, which was received by the Central Government on the 18th October, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

PRESENT :

Justice M. D. Kambli Esqr., Presiding Officer.

Reference No. CGIT-4 of 1981

PARTIES :

Employers in relation to Messrs N. Jamnadas and Company, Bombay.

AND

Their Workmen.

APPEARANCES :

For the employer—Mr. S. J. Deshmukh, Advocate.

For the Transport and Dock Workers' Union, Bombay—
Mr. S. R. Wagh, Advocate.STATE : Maharashtra INDUSTRY : Port and Docks
Bombay, the 30th day of September, 1982

AWARD

The Government of India, Ministry of Labour, by order No. L-31012(2)/80-D.IV(A) dated 23rd March, 1981, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to Messrs N. Jamnadas and Company, Bombay, and their workman in respect of the matters specified in the schedule mentioned below :—

SCHEDULE

“Whether the action of the management of Messrs N. Jamnadas and Company, Bombay in terminating the services of Shri Digamber K. Chavan, Peon, with effect from 30th July, 1980 is justified : If not, to what relief is the concerned workman entitled ?”

2. The employer, M/s. N. Jamnadas and Company, is a partnership firm having its head office at 16, Bank Street, Bombay. The workman D. K. Chavan was employed by the employer as a Peon in November 1973. His father also was serving as a Peon in this company. He retired on 1-7-1980. It is alleged by the employer-company that on 26th July, 1980, the workman picked up a quarrel with a receptionist, Mrs. L. E. D'Souza. He lost his temper and started shouting and gesticulating. Mrs. D'Souza told him to move away as she was afraid that his hands may touch her. It is alleged that the workman then told her that he would not only stand close to her but would slap her. He then lifted a stool to hit Mrs. D'Souza. Other receptionist, Miss P. Patkar, intervened and the workman then put down the stool and abused Mrs. D'Souza. He then went out of the room and made indecent gestures. Mrs. D'Souza narrated the incident to the officers of the company. It is alleged by the company that the workman was a mentally retarded person. However, he was employed in the company at the request of his father on humanitarian grounds. The company alleged that the services of the workman were terminated as the company had lost confidence in him. In view of the incident referred to above, He was offered one month's pay in lieu of notice and also offered retrenchment compensation as a matter of abundant caution though the termination was not on account of retrenchment. The company therefore pleaded that the termination of the services of the workman was legal, proper and justified.

3. The Transport and Dock Workers' Union (hereinafter referred to as the "Union") in its statement of claim pleaded that no charge of any nature whatsoever was levelled against the workman nor any inquiry was held and the workman was not given an opportunity to defend himself in respect of the alleged incident dated 26-7-1980. The Union pleaded that the action of the company in terminating the services of the workman was wrongful, arbitrary and illegal. The Union, therefore, prayed that the workman be reinstated in service with full back wages and continuity of service.

4. On the date of hearing of this reference the parties informed that they have arrived at a settlement. They filed a document signed by both the parties. Under that settlement the employer-company agreed to pay to the workman Rs. 10,000 in full and final settlement of all the workman's claims and dues including gratuity amounting to Rs. 2,053. It was recorded that the said amount had been paid to the workman on the day of this settlement i.e. on 31st August, 1982, and the workman had duly passed a receipt for the same and that no amount of whatsoever nature is payable to the workman except his provident fund. In view of this settlement, it was prayed that the reference be disposed of in terms of the settlement.

5. The document of settlement is signed by the workman and also by his Advocate, Mr. Wagh.

6. In the facts and circumstances of the case, I think the settlement arrived at is just and fair. I, therefore, dispose of this reference in terms of the settlement annexed to this award.

7. Award accordingly. No order as to costs.

Sd/-

M. D. KAMBLI, Presiding Officer

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Reference No. CGIT-4 of 1981

Employers in relation to M/s. N. Jamnadas and Company, Bombay;

AND

Their Workmen.

May it please the Honourable Tribunal

N. Jamnadas and Co., the Employer and the Transport and Dock Workers' Union, Bombay, have arrived at the following settlement in the above Reference :

N. Jamnadas and Co., agrees to pay to the workman Mr. Digamber K. Chavan and Transport and Dock Workers' Union and Mr. Digamber K. Chavan agree to accept Rs. 10,000 (Rupees Ten thousand only) in full and final settlement of all the workman's claims and dues including reinstatement and gratuity amounting to Rs. 2053 (Rupees Two thousand fifty three only).

It is hereby recorded that the above mentioned amount of Rs. 10,000 has been paid to the workman this day and the workman has duly passed a receipt for the same and that no amount of whatsoever nature is payable by the employer to the workman or by the workman to the employer hereafter have and except the workman's Provident Fund. In view of the settlement, it is prayed that the Reference be disposed of in terms of the settlement.

Bombay : 31st August, 1982.

For Transport and Dock Workers' Union
(S. R. Wagh)

Advocate for the Union,
Digamber Keshav Chavan
Workman

For N. JAMNADAS & Co.,

Sd. Illegible

PARTNER

[No. L-31012/2/80-D.IV(A)]
T. B. SITARAMAN, Desk Officer

New Delhi, the 21st October, 1982

S.O. 3767.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Bombay-1, in the industrial dispute between the employers in relation to the management of P & T, Bombay and their workmen, which was received by the Central Government on the 18-10-82.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

PRESENT :

Justice M. D. Kamblu Esqr., Presiding Officer.

Reference No. CGIT-13 of 1981

PARTIES :

Employers in relation to the management of P & T, Bombay.

AND

Their Workmen.

APPEARANCES :

For the employer—Mr. P. R. Namjoshi, Advocate.

For the Bhartiya Dak Karamchari Sangh—Mr. S. G. Borker, Advocate.

STATE : Maharashtra INDUSTRY : Telecommunication

Bombay, the 30th day of September, 1982

AWARD

The Government of India, Ministry of Labour, by order No. L-40011(1)/81-D.II.B dated 28th July, 1981, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to the management of P & T, Bombay, and their workmen in respect of the matters specified in the schedule mentioned below :—

SCHEDULE

"Whether the action of the management of Post Master General, Maharashtra Circle, Bombay in not implementing the agreement dated 8-5-74 reached in the Joint Consultative Machinery Meeting in respect of Stamp Vendors by way of upgrading 20% posts in the pay scale of Rs. 260-350 is justified? If not, to what relief the said Stamp Vendors are entitled and from which date?"

2. It appears that sometime before 1952 the Central Government had entrusted the work of the stamp vendors to contractors. The stamp vendors were mainly concerned with the job of selling stamp and stationary. The said contract system was terminated in the year 1952 or thereabout. The stamp vendors who were employed by the contractors were absorbed in the postal service and they were given the scale of pay applicable to the postmen. The stamp vendors were however, classified as class 'D' even though the pay scales of postmen and stamp vendors were identical.

3. It further appears that sometime in the year 1968 the Director General of Posts and Telegraphs, New Delhi, decided to amalgamate the cadre of stamp vendors and postmen working in the Post Offices. In accordance with the orders in that behalf on 2-11-1968 it was prescribed :—

"(i) The cadre of Departmental Stamp Vendors shall be declared as a dying cadre and all the posts of Departmental Stamp Vendors which fall vacant in future consequent on retirement, death, dismissal, etc., or are created in future shall be designated as "Postman" and filled up accordingly. Postmen Departmental Stamp Vendors which fall vacant in not fit for outdoor duties but are quite fit for the job at present done by Stamp Vendors may preferably be appointed to such posts.

(ii) The existing Departmental Stamp Vendors shall be given option either to come to the cadre of Postman which is class III and retire at the age of 58 years or to continue as Departmental Stamp Vendors in Class IV and retire at the age of 60 years. No claim for fixation of pay etc. will be entertained from Departmental Stamp Vendors electing to come over to the grade of Postmen.

(iii) Suit of the Departmental Stamp Vendors who opt (declaration will be obtained in attached form) for the grade of Postman shall be designated as Postmen and the posts of Departmental Stamp Vendors held by them shall also be converted to those of Postmen. Such officials, who opt for postmen's cadre, will not be entitled to claim to continue to perform only the duties of Stamp Vendors, but will also be liable to be employed on delivery work like other postmen.

(iv) The Departmental Stamp Vendors who opt for the cadre of postmen shall be considered en bloc junior to Postmen in the merged grade. They shall not be promoted as Head Postmen etc., unless they have rendered service as Postmen for a minimum period of three years and will be governed in the matter of promotion by rules applicable to postmen.

(v) All the posts required for the work of vending stamps in future will be created in the cadre of Postmen and for this purpose the existing standards applied for sanctioning Departmental Stamp Vendors will continue to apply."

The above orders were issued under communication No. 28/116/67/P&T, Dt. New Delhi dated 2-11-1968. The orders issued were to take effect from 1-1-1969. It will appear from the orders that the Government gave option to the stamp vendors either to retain their old category of class 'D' (which was formerly class IV) or to opt for postmen's cadre which is class 'C' (which was formerly class III). However, there was one disadvantage in the way of stamp vendors in accepting this option because the age of retirement for postmen is 58 years while the age of retirement for the stamp vendors is 60 years. Consequently, some of these stamp vendors did not opt for the grade of postmen, but they continued to be in the class 'D' cadre.

4. There was a meeting of the Committee of P & T Departmental Council held on 7-5-1974 to discuss the avenues of promotion and related matters arising out of the Pay Commission's recommendations concerning the P & T staff. Certain agreements were arrived at in this connection. One of the decisions reached in the meeting was that the Government will provide 20% of the posts of certain categories and give them higher grade of Rs. 260—350.

5. The Bhartiya Dak Karamchari Sangh (Postmen and Class IV) Maharashtra Mandal (hereinafter referred to as the "Sangh") stated in its statement of claim filed on 30th October, 1981, that the Director General, Posts and Telegraphs, implemented the said agreement in respect of all other categories. The stamp vendors' category however was not taken into consideration in spite of the specific provision in the said agreement. A reference has been made in the statement of claim to the letter No. 31/19/74 PE 1 dated 30-5-1979 addressed to all heads of Postal Circles by the Director General of Postal Services, New Delhi, directing them as under :—

"I am directed to refer to your replies to this Office Memo No. 31-19/74 P&T, dated 30th January, 1975, on the subject noted above and to say that the posts of stamp vendors in the pay scale of Rs. 210—270 shall be taken into account for the computation of 20% posts in the pay scale of Rs. 260—350 though the said posts are in group 'D'. Past cases decided otherwise however need not be reopened."

The Sangh submitted that in spite of the specific directions given by the Director General of Postal Services, the Postmaster General, Bombay, has refused the said benefits to

the stamp vendors working in different Post Offices in the city of Bombay. It is submitted by the Sangh that the stamp vendors are entitled to be placed in the promotional grade in the ratio of 20% in the pay scale of Rs. 260—350 with retrospective effect from 1-6-1974.

6. The Asstt. Postmaster General, Maharashtra Circle, Bombay, resisted the claim of the Sangh by filing his written statement on 14-4-1982, pleading, inter alia, as follows. The question of departmental stamp vendors was omitted from the agreement arrived at in the meeting of the Committee of the Departmental Council held on 8-5-1974 because the departmental has decided to abolish departmental stamp vendors by order issued in 1968. The department has followed all the terms and conditions of the said agreement. In other words, it was pleaded that no agreement was arrived at in respect of the departmental stamp vendors. It was further pleaded that the instructions contained in the letter dated 30-5-1979 from the Director General Posts and Telegraphs, New Delhi, were being fully complied with in the office of the Postmaster General, Bombay. It was alleged that all posts in group 'D' of stamp vendors were and are being taken into account in computation of 20% posts in the pay scale of Rs. 260—350 and suitable persons are being taken up. However, those belonging to the group 'D' are not eligible to the promotion to these posts. It was submitted that the Postmaster General, Bombay, has never refused any benefit which became legally due to any stamp vendor in accordance with the orders issued on the subject by the Director General of Posts and Telegraphs, New Delhi. It was further pleaded as follows. It would be the right of the employer to frame rules for promotion and the promotion normally would be according to the rules prescribed in that behalf. Since the stamp vendors are categorised as group 'D' they are not entitled to be promoted in the scale of Rs. 260—350. An option was given to the stamp vendors to come over to the category of postmen so that they could have become eligible for further promotion to the scale of pay of Rs. 260—350. The stamp vendors belonging to group 'D' however failed to exercise the said option. It is, therefore, not open to them now to claim higher scale of pay. The failure on the part of the stamp vendors in exercising the said option was obviously for earning the benefit of the retirement age at 60 years and now it is not open to them to claim the benefit both ways. It was, therefore, submitted that the reference was bad and the same should be rejected as the Sangh has not made out any case for an award in their favour.

7. The points that arise for my consideration in this reference re : (i) whether the agreement dated 8-5-1974 reached in the Joint Consultative Machinery Meeting (or short Joint Meeting) by way of upgrading 20% posts in the pay scale of Rs. 260—350 was in respect of the category of stamp vendors also, (ii) whether the action of the management of Postmaster General, Maharashtra Circle, in not implementing the said agreement, if any, is justified (iii) if not to what relief the said stamp vendors are entitled and from which date.

8. One of the points taken in the written statement on behalf of the employer was that the departmental of P & T cannot be said to be an industry within the meaning of that expression under the Industrial Disputes Act, and the stamp vendors are not workmen under that Act. This contention, however, was not rightly pressed before me at the time of the hearing.

9. On behalf of the Sangh three workmen have filed their affidavit in support of their case, as pleaded in the statement of claim. One of them by name Bhaskar Gunaji Palshetkar was cross-examined on behalf of the employer. Mr. Kamath, Asstt. Postmaster General in the office of the Postmaster General, Bombay, was examined as EW-1 on behalf of the employer.

10. Mr. Namjoshi, the learned counsel for the employer, submitted that the reference is not proper in that while making the reference the Central Government has taken it for granted that there was agreement reached in the Joint Meeting by way of upgrading 20% posts in the pay scale of Rs. 260—350 was in respect of stamp vendors also. He submitted that there was no agreement reached in respect of the category of stamp vendors. According to him, there is no term in

the agreement which refers to the category of stamp vendors. I think, this submission does not deserve to be accepted. The Sangh did not place on record the document containing the agreement reached in the Joint Meeting. However, a letter dated 10-5-1974 addressed by the Director, Ministry of Communications (P&T Board) to all Heads of Circles/Telephone Districts and other Administrative Offices has been placed on record, by the employer. It is at exhibit E-5. A document incorporating the decisions reached in the Joint Meeting is enclosed with the said letter of the Director. We are concerned with item No. 2 in the said document regarding the decisions. That item is in the following heading :

"Postmen/Linemen/Wiremen/Mail Guards, etc. (Rs. 210—270)".

Mr. Borkar, the learned counsel for the Sangh, relied upon this item in support of his contention that the category of stamp vendors is also included in the categories to whom the benefit by way of upgrading 20% posts was extended. It is true that there is no specific mention of the category of stamp vendors under this item. However, Mr. Borkar relied upon the expression, "etc." in the heading of this item. He further relied upon the fact that the categories covered by item No. 2 are in respect of the grade of Rs. 210-270. This is so mentioned in the table. Mr. Borkar pointed out that the grade of stamp vendors is the same. As against this, Mr. Kamath who is examined as EW-1 for the employer and who is the Asstt. Postmaster General in the office of the Postmaster General, Bombay, stated in his deposition that the agreement did not cover the category of stamp vendors. He said that they are not governed by or under any of the eight items mentioned in the documents of agreement. According to him, the stamp vendors do not fall under item No. 2 of the agreement. He wanted to say in his cross-examination that the categories mentioned in item No. 2 of the decisions viz., Postmen/Linemen/Wiremen/Mail Guards belong to group 'C' and therefore that decision applied to those who were in group 'C'. By stamp vendors in group 'C' he means that the stamp vendors who have opted for the category of postmen according to the letter of the department of the year 1968. The present workmen are not admittedly group 'D' stamp vendors. According to Mr. Kamath, the decision at item No. 2 does not apply to them. As against this, Mr. Borkar the learned counsel for the Sangh, placed reliance upon the letter dated 15-6-1974 (Ex. E1) issued by the Government of India, Ministry of Communications. Under that letter Instructions are issued with regard to the avenues of promotion and related matters in respect of the categories indicated in the succeeding paragraphs of that letter. Paragraph 3 of that letter makes specific mention of stamp vendors along with postmen and village postmen. It is clearly stated in that paragraph that there will be increase to the extent of 20 per cent of the number of posts in the cadre of postmen, village postmen and stamp vendors in all the Postal Divisions and Units is to be taken together. There is one more letter dated 30-5-1979 on record issued by the Asstt. Director General to all Heads of Postal Circles. That letter at exhibit E-2 states that the posts of stamp vendors in the pay scale of Rs. 210-270 shall be taken into account for the computation of 20 per cent posts in the pay scale of Rs. 260-350 though the said posts are in group 'D'. There is, however, a subsequent letter dated 6-7-79 (exhibit E-3) from the Asstt. Director General stating that group 'D' officials are not eligible for promotion to the scale of Rs. 260-350. The earlier letter dated 30-5-1979 (exhibit E-2) however says that the posts of stamp vendors in the pay scale of Rs. 210-270 shall be taken into account for the computation of 20 per cent posts in the pay scale of Rs. 260-350. On the basis of the subsequent letter dated 6-7-1979 (exhibit E-3) it is sought to be contended on behalf of the employer that though the posts of stamp vendors group 'D' are to be taken into account for the computation of 20 per cent posts in the pay scale of Rs. 260-350 the officials working in that group viz., group 'D' however are not eligible for promotion. One thing becomes clear from these letters of the Postal Department that the posts of stamp vendors group 'D' were to be taken into account for the computation of 20 per cent posts in the pay scale of Rs. 260-350. Though, therefore, there is no specific reference in item No. 2 of the document of the decisions accompanying letter exhibit E-5, to the category of stamp vendors I am inclined to hold that the decisions of the Joint Meeting related of 8-5-1974 to the category of stamp vendors group 'D' also.

11. Now, the next question is whether the management of Postmaster General, Maharashtra Circle, Bombay, is justified in not implementing the agreement in respect of the stamp vendors group 'D'. It is pointed out that the category of stamp vendors group 'D' is a dying category as is declared by the letter dated 2-11-1968 from the Director General, Posts & Telegraphs (exhibit E-4). Under that letter all the posts of departmental stamp vendors which fall vacant in future consequent on retirement, death, dismissal, etc., shall be designated as postmen. However, this is not in my opinion a proper ground for denying the benefit to the stamp vendors group 'D' under the decisions in the Joint Meeting. It is however submitted for the employer that in 1968 an option was given to the stamp vendors to come to the category of postmen so that they could have become eligible for further promotions while working in the category of postmen. However, some stamp vendors who are now in group 'D' did not exercise that option obviously for earning the benefit of the retirement at the age of 60 years, and not at the age of 58 years. Those who exercised the option and went to the category of postmen stood the chance of being promoted to some other category in course of time but they would have to retire at the age of 58 years. It is submitted for the employer that by not exercising the option of opting for the cadre of postmen, the stamp vendors who are now in group 'D' have impliedly agreed that they will not be entitled to any promotion or higher grade throughout their service. They are now asking for higher grade; but it is submitted that they cannot have both the advantages viz., the advantage of earning higher grade and at the same time retiring two years later i.e. at the age of 60 years. It is not in dispute that the stamp vendors whose cause is being espoused by the Sangh are in group 'D'. It is pointed out for the employer that as per the Government of India orders below rule 6-A of the Central Civil Services (Classifications, Control and Appeal) Rules, the maximum of pay scale permissible to group 'D' employees is Rs. 290 only. It is submitted that if the stamp vendors are given the benefit of the higher grade of Rs. 260-350, it will cross this limit of Rs. 290 being the maximum pay to which the employees in group 'D' are entitled. If the higher grade of Rs. 260-350 are given to them they will after they reach the pay scale of Rs. 290 go over to the scale of group 'C'. It is contended for the employer that once they having refused to opt for the cadre of postmen (group 'C') for earning the benefit of retirement at the age of 60 years they should not be now allowed to claim the higher grade. I think, there is much substance in this submission. I find that there is justification for the employer in not implementing the agreement dated 8-5-1974 so as to give the benefits to stamp vendors of the higher grade of Rs. 260-350.

12. The next question is whether these stamp vendors are entitled to any other relief, and if so, from which date. It is submitted on behalf of the Sangh that the benefit of upgrading 20 per cent posts in the higher scale of Rs. 260-350 is given to all the cadres in the P & T Department viz., postmen, linemen, wiremen, mail guards, office clerks, telephone operators, etc. It is argued by the Sangh that even though stamp vendors is a group 'D' post, it attracts the pay scale applicable to the postmen grade who is a group 'C' employee. According to the Sangh, therefore, the stamp vendors are entitled to the same treatment. I think, there is some substance in this submission. The decisions reached in the Joint Meeting not only confer avenues of promotional grade on group 'C' employees, but class IV grades in the pay scale of Rs. 196-232 are also benefited. It will appear from item No. 1 of the decisions reached in the Joint Meeting annexed to the letter of the P & T Directorate dated 10-5-1974 (exhibit E-5) that Jamadars grade post are recommended to be created on the basis of 20 per cent of the number of posts in class IV grade. If other class IV grades are to be benefited and are actually benefited and are to be benefitted by the decisions in the Joint Meeting there is no just and proper reason as to why these stamp vendors should be denied similar benefit. It is true that I have held that the employer is justified in not extending to them the benefit of upgrading 20 per cent posts in their cadre in the pay scale of Rs. 260-350. However, in my opinion, these group 'D' stamp vendors should be given some benefit. As is already pointed out the Department wants to take into account the category of group 'D' stamp vendors for the computation of 20 per cent in the pay scale of Rs. 260-350. However, the Department does not

want to give benefit of these upgraded posts to these stamp vendors. It appears that the upgraded posts so counted will be available to some other category like postmen, while the stamp vendors will be deprived of that benefit. I think, in order to give some benefit this category it would be proper to give special pay of Rs. 20 per month and such special pay shall be given to 20 per cent of the cadre of stamp vendors group 'D' on the basis of seniority-cum-fitness, from 1-6-1974 i.e. the date from which the benefit under the said agreement reached in the Joint Meeting is extended to other categories.

13. I am told that the last incumbent from this category of stamp vendors is due to retire on or about 31st July, 1984. The present strength of this category is 150 (see ex. E-6). For the purpose of computation of 20 per cent the total cadre strength of stamp vendors group 'D' existing in the various units of Maharashtra circle including the city of Bombay at the relevant times from 1-6-1974 will be taken into consideration. However, care will be taken to see that the benefit of 20 per cent computation is extended to the stamp vendors working in the city of Bombay as far as possible according to their strength. Similarly, the number of the workmen from stamp vendors group 'D' entitled to this benefit of special pay on the basis of 20 per cent of their cadre will be determined, as far as possible, on the basis of the seniority-cum-fitness and on the total strength existing on 1st April of each year as I am told that the official year of the Postal Department begins on 1st April.

14. Award accordingly. No order as to costs.

M. D. KAMBLI, Presiding Officer.

[No. L-40011(1)/S1-D.II(B)]
S. S. PRASHER, Desk Officer.

New Delhi, the 22nd October, 1982

S.O. 3768.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in respect of a complaint under Section 33A of the said Act filed by Shri Hirralal Mahato, Electrician, Sudamdh Colliery of Messrs Bharat Coking Coal Limited, Post Office Sudamdh, District Dhanbad against the management, which was received by the Central Government on the 21st October, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Complaint Case No. 4/80

PRESENT :

Shri J. N. Singh, Presiding Officer

PARTIES :

Shri Hirralal Mahato, Electrician, Sudamdh Colliery of M/s. Bharat Coking Coal Ltd., P.O. Sudamdh, Dist. Dhanbad. Complainant.

Vs.

Employers in relation to the management of Sudamdh Colliery of M/s. Bharat Coking Coal Ltd. (S. K. Nandi, Asstt. Engineer (E&M), Sudamdh Colliery). . . Opp. Party

APPEARANCES :

For the Complainant—Shri S. Pal, Advocate.

For the Opp. Party—Shri B. Joshi, Advocate.

INDUSTRY : Coal.

STATE : Bihar

Dated. the 13th October, 1982

AWARD

This is a Complaint U/s. 33A of the Industrial Disputes Act, 1947.

2. The case of the complainant is that Reference No. 26/80 was pending before this Tribunal and the issue was

whether the action of the management in not promoting the complainant Sri Hirralal Mahato to the post of Charge-man/Foreman is justified. It is stated that during the pendency of the said Reference the management has changed the condition of service of the concerned workman to his prejudice. The change in condition of service is stated as follows :

(a) On 25-6-80 Sri S. K. Nandi, Asstt. Engineer, Sudamdh Colliery stopped the attendance of Shri Hirralal Mahato in 400 M.H.

(b) When the concerned workman protested against the above illegal and arbitrary stoppage of attendance the management issued a warning letter to him without serving any chargesheet.

It is submitted that above two actions of the management has changed the condition of service of the concerned workman.

3. On behalf of the management, however, it is stated that there has been no change in the conditions of service of the concerned workman. It is stated that the concerned workman was transferred to 400 M.H. by an order of the management. He absented himself and did not join and finally he joined on 1-7-1980. It is further stated that Sri S. K. Nandi, Asstt. Engineer never stopped his attendance. Further it is stated that warning is not a penalty at all and giving warning to a workman does not amount any change in the conditions of service. It is submitted that the concerned workman was transferred to his present post with the same terms and conditions of service and it was an internal transfer for exigencies of work.

4. The point for consideration is as to whether the management has violated the provisions of Section 33A of the Industrial Disputes Act.

5. Ext. M-1 is a letter dated 19-5-1980 showing that Sri Hirralal Mahato was transferred to work under Sri K. B. Nanda, Sr. E. E. with immediate effect, MW-1 is Sri Munshi Kumar a peon of Sudamdh Colliery. He has stated that he had taken this letter of transfer (Ext. M-1) for delivery to the concerned workman but he refused to receive the same and then put his endorsement on this letter and returned it back to the management. In the endorsement the peon has written that the concerned workman refused to receive this letter. There is nothing in the cross-examination of this witness to disbelieve his testimony. The concerned workman WW-1 has also admitted in his cross-examination that Ext. M-1 is the letter regarding his transfer but he did not receive the said letter. According to him there was another letter of transfer which was received by him on 1-7-80 and on the basis of that letter he joined the new post, but the said letter has not been filed by him. Thus it is clear that the concerned workman was transferred to his present post by Ext. M-1 which he eventually joined on 1-7-80. MW-2 is Sri S. K. Nandi, Executive Engineer who has stated that a copy of Ext. M-1 was received by him and he had told the concerned workman that he has been transferred and he should join his new place of posting, but the concerned workman absented himself from 25-6-80. He has further stated that he never stopped his work or his attendance and he never passed any order. Thus the concerned officer has denied the allegation made against him that he had stopped the attendance of the concerned workman. Though in the complaint petition the alleged order of Sri Nandi has been stated in inverted coma but no such order has been filed by the concerned workman to show that there was any such order by Sri Nandi stopping his work.

6. Thus from the evidence on record, it is clear that the complainant has failed to prove that Sri Nandi or any other officer stopped his attendance from 25-6-80.

7. Another ground of the complainant is that a warning was issued against him. The letter of warning is Ext. W-1 dated 8-4-80. It cannot be said by any stretch of imagination that issue of warning letter will amount to change of conditions of service. It cannot be denied that the management has got power to make internal transfers. There is no evidence to show that a different scale has been given to the concerned workman after his transfer. The terms and conditions of his service remained the same.

8. In these circumstances it cannot be held that the management has violated the provisions of Section 33 of the Industrial Disputes Act.

9. Accordingly I hold that the present complaint petition is not maintainable and hence it is dismissed.

10. The award is given accordingly.

J. N. SINGH, Presidng Officer.

[No. 1-20025(6)/82-D.III(A)]

A. V. S. SARMA, Desk Officer.

New Delhi, the 2nd November, 1982

S.O. 3769.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Ahmedabad in the industrial dispute between the employers in relation to the management of Oil and Natural Gas Commission, and their workmen in the matter of a complaint U/s. 33A of the Industrial Disputes Act, 1947, which was received by the Central Government.

BEFORE SHRI G. S. BAROT, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT AHMEDABAD

Complaint (ITC) No. 1 of 1981

IN

Reference (ITC) No. 8 of 1981

V. Tulsidharam O.N.G.C. Colony F-28, Saij Colony,
Tal : Kalol, Dist. Mehsana Complainant
Vs.

The Project Manager, Shri S. N. Mitra, O.N.G.C., Sabarmati, Ahmedabad Respondent

In the matter of a complaint u/s. 33A of the Industrial Disputes Act, 1947

APPEARANCES :

Shri P. Chidambaram—for the complainant, and

Shri D. C. Gandhi, Advocate—for the respondent.

AWARD

This is a complaint filed by the complainant-employee against the respondent-employer u/s. 33A of the Industrial Disputes Act, 1947, hereinafter to be referred to as the 'Act'. The case of the complainant is that he is a permanent employee working as Assistant Technician (Fitting) at Rig No. D-5-V of Oil and Natural Gas Commission, hereinafter to be referred to as the 'ONGC', that as he is posted in the field where the drilling operation is going on, that some demands have been referred by the Government of India, Ministry of Labour, New Delhi to this Industrial Tribunal and the same is pending adjudication, that the complainant is the concerned workman in the said reference and that during the pendency of the said reference, the ONGC has issued an order dated 17-6-81 effecting change in the conditions of service and thus contravened the provisions of S. 33 of the Act, that the ONGC has issued the order dated 17-6-81 because of which the complainant has to reach the requisite bus stop 45 minutes earlier, that the ONGC has no right to effect this change without prior approval of this Tribunal. It has therefore been prayed to quash the said order dated 17-6-81 and to order the ONGC to restore the original shift bus timings.

2. On behalf of the ONGC written statement ex. 8 has been filed wherein a preliminary contention that the complaint made as such is not legally maintainable has been raised. It has been stated that the ONGC has not contravened any of the provisions of S. 33 of the Act it was then contended on behalf of the ONGC that a memorandum of settlement dated 22-11-79 reached between the ONGC and the employees unions/associations, inter alia provides for payment of Operational Allowance vide clause 6.1 of the said settlement which read as under :

"This allowance shall be payable to such of the employees who are engaged in operational activities,

in consideration of the arduous and/or hazardous nature of work performed, including the extra time involved in travelling to and from the duty points of such employees."

It has been further contended that under the aforesaid settlement employees who are engaged in operational activities i.e. the persons who have to work at drilling site/installations have to travel and spend extra time to reach at the duty point in time. It is, therefore, provided that in consideration of the extra time involved in journey such employees are paid operational allowance in terms of the settlement. It has been further submitted that with a view to have cordial relations and as a welfare measure, the management has provided shift vehicles for the employees to pick them from particular points and to take them to their respective duty points. Keeping in view the distance of the drilling site/installations and keeping in view the residential places of the employees, the management worked out a detailed plan so that minimum time can be spent by the employees to reach the duty point. This facility has been given voluntarily as a welfare measure and does not form a part of service condition, that since it is not part of the service condition there is no question of any change being effected by the ONGC, that the prevalent shift timings at the drill site round the clock are as under, from 7-00 a.m. to 2-00 p.m. from 2-00 p.m. to 10-00 p.m. and from 10-00 p.m. to 7-00 a.m., that the management provides buses to carry the shift personnel from some points of the city as a welfare measure, that the ONGC started drill site viz., J.R.D. which is approximately at a distance of about 54 K.M. from Sabarmati office, that normally the S.T. buses take 1-25 hours for covering the aforesaid distance but the management has put up the timings of the shift bus so that drill site workmen can reach at the start of the shift timings, and there is no question that the management desires to change the timings of any workman. The timings of the workmen working at drill site including the complainant are so fixed that they can reach the point of work at the start of the shift. In view of the above it was contended that the complaint deserves to be dismissed.

3. I have heard Shri P. Chidambaram, learned representative of the union and Shri D. C. Gandhi, learned advocate for the ONGC. In the instant case first of all it is to be decided whether the complaint made as such is maintainable or not. As far as this question is concerned Shri Gandhi for the ONGC very vehemently urged that the complaint made as such would not be maintainable in as much as the ONGC has not contravened any of the provisions of S. 33 of the Act as alleged by the complainant. As argued by Shri Gandhi, the ONGC has tried to lessen or minimise the grievance of the workmen about reaching the shift bus late to the drilling sites. In support of this contention Shri Gandhi also drew my attention to the demands raised in Reference (ITC) No. 8 of 1981 and argued that if we see the demands raised by the union, in substance, they are about regularising the bus timings so that the hardships felt by the workmen be reduced or they be compensated by way of overtime allowance. Thus, according to Shri Gandhi, there is no breach as alleged but it has been the endeavour of the ONGC to minimise the grievance of the workmen and that too was in pursuance of the undertaking given by the ONGC before Conciliation Officer in a dispute raised in this behalf. As against it was argued by Shri P. Chidambaram that the ONGC has committed breach of S. 33 of the Act in as much as the ONGC by effecting bus timings has effected a change in the service conditions of the workmen concerned. The workmen have to reach 45 minutes earlier than before. Shri P. Chidambaram also contended that the ONGC has also not given any notice u/s 9A of the Act as the matter is covered under The Fourth Schedule to the Act, viz., hours of work and rest intervals. The ONGC has thus made a change without giving proper notice. It is also to be noted that this change effected by the ONGC is to the prejudice of the workmen and therefore the change made is illegal and the same should therefore be withdrawn. According to Shri P. Chidambaram the ONGC has also effected a change in usage without any previous notice and therefore also the change effected is illegal and should be withdrawn. Now, coming to the preliminary point, it would be first of all necessary to consider the provisions of S. 33A under which this complaint has been made. S. 33A reads as under :—

"Where an employer contravenes the provisions of S. 33 during the pendency of proceeding before a

Labour Court, Tribunal or National Tribunal, any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner, to such Labour Court, Tribunal or National Tribunal and on receipt of such complaint that Labour Court, Tribunal, or National Tribunal shall adjudicate upon the complaint as if it were a dispute referred to or pending before it in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Reading of this section clearly shows that the complaint would lie only when the employer has contravened the provisions of S. 33 during the pendency of the proceedings before the Tribunal. Now, in the instant case it is true that a reference, being Reference (IT) No. 8 of 1981 is pending before this Tribunal. But only the pendency of a reference would not by itself sufficient to provide cause to the complainant for filing the complaint. What is more important is the contravention of S. 33 during the pendency of a reference. Let us now examine whether in the instant case of employer has contravened any of the provisions of S. 33. Now, S. 33 of the Act is as under :

"33. (1) During the pendency of any conciliation proceeding before a conciliation officer or a Board or of any proceeding before an arbitrator or a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—

- (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions or service applicable to them immediately before the commencement of such proceeding ; or
- (b) for any misconduct connected with the dispute, discharge or punish, whether by dismissal or otherwise, any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceedings is pending.

(2) During the pendency of any such proceedings in respect of an industrial dispute, the employer may, in accordance with the standing orders applicable to a workman concerned in such dispute, or where there are no such standing orders in accordance with the provisions of the contract whether express or implied between him and the workman—

- (a) alter, in regard to any matter not connected with the dispute, the conditions of service applicable to that workman immediately before the commencement of such proceedings ; or
- (b) for any misconduct not connected with the dispute, discharge or punish, whether by dismissal or otherwise, the workman :

Provided that no such workman shall be discharged or dismissed, unless he has been paid wages for one month and an application has been made by the employer to the authority before which the proceeding is pending for approval of the action taken by the employer."

As far as S. 33 (3) is concerned it would not be relevant in this case. We have therefore only to see whether the action of the employer in this case is hit by either S. 33 (1) or S. 33 (2). Now, the grievance made by the complainant herein is that the ONGC has effected a change in the service conditions of the workman concerned in as much as he has to reach 45 minutes earlier than before on the bus stand from where they are picked up in order to reach their drilling sites. It is true that the ONGC has provided shift vehicles for the employees to pick them up from particular points and to take them to their respective duty points. Normally the employer is not obliged to provide such facilities but in view of the peculiar type of the work carried on by the ONGC and with a view to provide facilities to the employees working on drill sites and to maintain cordial relations the ONGC is providing this facility to such employees. It appears that the shift buses which have been provided did not reach the drilling sites in time and therefore the union had a grievance

to that effect. They had made representations in this behalf to the management of the ONGC and the question was considered by the management. Not only that but the management has also given an undertaking before the conciliation officer in the dispute raised in this behalf in the following terms :

"The management assured as far as timely running of bus is concerned, the management will take all steps to run shift buses in time. However, since project authorities cannot go beyond what is stated under Mines Act, granting of compensatory off for late running of shift bus after half an hour of the scheduled time and also for returning back from shift bus, the management will have to make reference to Headquarter since it will have repercussions all over India. It was also brought out by the management that one of the reason of late arrival of shift bus to drillsite is due to non-introduction of fact journey period. In case factual journey time is introduced, the management assured for running the shift bus in time. The union stated that the management may make reference to Headquarter Office for decision but till such decision comes they shall avail of the above concession. The management is agreeable to the above. The union shall co-operative with the management. The discussions are adjourned to 16th May, 1980. The workers shall resume work immediately."

Thus, even according to the ONGC the bus was not playing in time and it was therefore felt that there was some justification in the grievance made. It was also an important factor that plying of late buses also involved the ONGC huge cost in payment of overtime wages. Thus it was thought proper by the ONGC to make necessary adjustments in the timings and only with a view to achieve that goal the order was made that the employees should reach the bus stop 45 minutes earlier than before. It is also to be kept in mind and that has come also in evidence on record that when the employees have to come 45 minutes earlier, they also come back 45 minutes early at home after their shift work is over. Here it is also pertinent to note that the ONGC has not effected any change in shift timings of the workmen concerned. In fact the timings of their shift working have remained the same but only to regularise the bus service and more so to lessen or minimise the grievances of the workmen concerned, the change in bus timings has been effected. In my opinion, it cannot be said to be a change in service condition in as much as the ONGC has not effected any change in the shift timings. I am, therefore, of the view that in the instant case it cannot be said that the employer, i.e., the ONGC has committed breach of S. 33 when there is no breach of any of the service conditions. There is therefore no question of breach of the provisions of S. 33. Shri P. Chidambaram had also argued that the ONGC has not given any notice u/s. 9A of the Act even though the matter is covered under item no. 4 and 8 of the Fourth Schedule, viz., Hours of work and rest intervals; and Withdrawal of any customary concession or privilege or change in usage, respv. According to Shri P. Chidambaram the ONGC has effected a change without giving proper notice and that too to the prejudice of the workmen. I have considered this contention of Shri P. Chidambaram and I am of the view that even on this count also there is no case. S.9A reads as under :

"9A. No employer, who proposes to effect any change in the conditions of service applicable to any workmen in respect of any matter specified in the Fourth Schedule, shall effect such change—

- (a) without giving to the workmen likely to be affected by such a change a notice in the prescribed manner of the nature of the change proposed to be effected ; or
- (b) within twenty-one days of giving such notice . . ."

It is true that no change in the conditions of service applicable to any workman in respect of any matter specified in the Fourth Schedule can be effected without giving any notice as provided under the said section. According to Shri P. Chidambaram the ONGC has effected a change without proper notice as far as item nos. 4 & 8 of The Fourth Schedule

are concerned, viz., hours of work and rest intervals and change in usage. Let us now see whether this can be said to be true. As far as item no. 4— hours of work and rest intervals is concerned it cannot be said that the ONGC has effected any change in this behalf in as much as the hours of work and rest intervals of the employees remain the same. The ONGC has not effected any change in the shift timings for which the workmen have to work or in their rest intervals. Similarly, it cannot be said that the ONGC has effected any change in usage as the ONGC has not withdrawn the bus facility. The only thing that has been done by the ONGC is only some adjustment here and there to see that the workmen reach their work site in time and also reach their home back in time. It is also to be kept in mind that this has been done also with a view to minimise the grievance of the workmen in this behalf. Considering the facts and circumstances of the case on the whole I am of the view that the ONGC has neither contravened provisions of S.33 nor made breach of S. 9A as argued by Shri P. Chidambaram. In my view therefore the complaint u/s. 33A made as such is not maintainable and the same deserves to be dismissed. This disposes of the preliminary point raised on behalf of the ONGC. In view of this it would not now be necessary to decide the matter further. But as the parties have also led evidence on merit. I would also dispose the case on merits.

4. After Having disposed of the preliminary contention raised by the ONGC, I will now proceed to deal with the complaint on its merits. The complainant along with the complaint has filed at ex. 2 a copy of the order of reference made by the Government of India, Ministry of Labour, to this Tribunal. The schedule thereof shows the demands referred to this Tribunal as Annexure 'A'. They are as under :

"Whether the demand of ONGC Rigman & Topman Association, Ahmedabad as mentioned in Annexure 'A' is justified ? If so, what relief and from what date the employees working in the field are entitled ?

ANNEXURE 'A'

1. That the field staff should wait for two hours over and above the fixed time of arrival of the shift bus at respective destination.
2. That if the shift bus does not reach the respective destination within two hours, the employees may go home and they will be marked present on the said date.
3. That if the shift bus carrying passengers from site reaches the destination beyond thirty minutes than prescribed time they should be paid overtime allowance as per the existing rules."

The complainant has also filed an affidavit vide ex. 4 wherein he states that as per the terms and conditions of his service he is provided with the benefit of going to the work place by staff bus; that he is a concerned employee in Reference (ITC) No. 8 of 1981; that he is staying at Salipur and has to reach the bus stop at which the staff bus was made available at 6-30 a.m. but by order passed by the ONGC on 17-6-81 the ONGC has changed the timings and he is compelled to reach earlier by 45 minutes; that the ONGC has effected this change without following the necessary procedure as required u/s. 33 of the Act; that this is a change in his working conditions in as much as the same has been effected without obtaining permission of this Tribunal and therefore breach of S. 33 of the Act has been committed. He has also filed a further affidavit at ex. 9 wherein he has given the distance between various drilling points including the drilling point on which he was working last, viz., J.R.D. and the distance is about 54 Kms from Sabarmati. He has further stated that according to the new timings he is required to reach the bus stop 45 minutes earlier. As against this, vide ex. 10, one Mr. Makhija who is the Administrative Officer in the ONGC has filed an affidavit. He has stated in his affidavit that the Government of India has referred some of the demands of the workmen and Reference (ITC) No. 8 of 1981 in this behalf is pending before this Tribunal; that from the terms of the reference made it appears that in substance the demands arise consequent upon the arrival

of the staff bus at the point where an employee boards or de-boards the bus; that the root cause for this demand was that the bus plied by the ONGC for the purpose of taking staff/workmen from their place to the work sites most of the days was reaching the work site late and the members of the staff/workmen had to wait for long duration unnecessarily; that the Technical Workers' Association vide its notice dt. 20-7-79 had in fact served a strike notice to the ONGC raising the dispute inter alia that there being no improvement in the running of the shift buses, the management should immediately see that the shift buses are plying on time. The said strike notice has been annexed as Annexure 'A' to this affidavit; that in the meantime the Ministry of Labour vide its letter dt. 3-3-80 also intimated to the concerned Sectional Head, of the ONGC as under :

"In continuation of this Ministry's letter of even number dt. 8-1-80 on the subject mentioned above, I am directed to state that it is understood that the management have acquired 4 new buses and have hired another 4 buses from the local transport authorities for carrying employees to the work-site. It is also understood that the management have offered that the employees can travel by local transport to the Base Centre of the Commission which is connected by public transport and they would be re-imbursed bus fare spent by them in case they compelled to travel by local public transport when the buses run by the management are late or not available for any reason. In view of the arrangements made by the management it is not proposed to refer the dispute to adjudication."

He has further affirmed that consequent upon a similar strike notice served by Rigman & Topman Association and in the course of the conciliation proceedings on 16-3-80 the ONGC management gave an undertaking in the following terms :

"The management assured as far as timely running of bus is concerned, the management will take all steps to run shift buses in time. However, since project authorities cannot go beyond what is stated under Mines Act, granting of compensatory off for late running of shift bus after half an hour of the scheduled time and also for returning back from shift bus, the management will have to make reference to Headquarter since it will have repercussions all over India. It was also brought out by the management that one of the reason of late arrival of shift bus to drillsite is due to non-introduction of factual journey period. In case factual journey time is introduced, the management assured for running the shift bus in time. The union stated that the management may make reference to Headquarter Office for decision but till such decision comes they shall avail of the above concession. The management is agreeable to the above. The Union shall co-operative with the management. The discussions are adjourned to 16th May, 1980. The workers shall resume work immediately."

Thus the main grievance of the members of the staff appears to be that the bus was not plying on time and as a matter of fact the ONGC also felt that their grievance was justified. Besides plying of the buses late also involved the ONGC in huge costs of payment of over time wages. It was further contended that with a view to set the matter right the ONGC analysed the bus timings effective from 29-4-81 to 7-6-81 at the various site of Rig 5D-V and the statement showing the result of the analysis shows that the bus was plying late from 30 minutes to one hour almost every day; that to avoid this late reaching of the bus the ONGC took steps to see that the bus carrying the members of the staff/workmen runs in time so that difficulty experienced by them may not continue & the ONGC may not have to spend unnecessarily towards over time wages. Thus, as per the undertaking given before the Conciliation Officer, the ONGC tried to see that the bus may not reach late; that prior to 17-6-81 as the bus was running late the staff/workmen could not reach their homes in time after duty hours

and they had to reach their homes late as the bus for the second shift also in that cycle was running late. The practice there is that the next shift bus which brings the staff/workmen at the works site brings back the staff/workmen of the previous shift back to their homes. What the ONGC has now done is nothing but to regularise the bus timings and in doing so the staff/workmen have to start early by about 35 minutes only. But it is to be noted that the workmen reached their homes also 35 minutes earlier. Thus, the totality of the time spent prior to 17-6-81 and the totality of the time spent subsequent to 17-6-81 for boarding bus for going to work site and coming back home from the works site exactly remains the same. As far as the complainant is concerned as he stays at Saijpur colony, he has now to travel 6 Kms. less than before. It is however true that he has to board the bus at 6-10 a.m. instead of 6.40 a.m. but it is to be noted that he reaches back to his home at 2-50 p.m. instead of 3-20 p.m. That the work on the site is a continuous process of work which requires the work round the clock and as the bus used to reach late at the work site what was happened was that the next bus shift workers had to continue to work till the bus would arrive with the result that the next shift workers were required to be detained on over time work and this cycle was going on only because of the fact that the bus was not reaching the site in accordance with the shift timings. It is also to be noted that a strike notice was served by the union on the ONGC demanding that the timing of the bus should be so regularised that the bus does not reach late at the work site. Moreover there is a settlement dated 22-11-79 which provides for payment of operational allowance including the extra time involved in travelling to & from the duty points of the employees; that the complainant is also entitled to receive the said allowance; that the works site does not remain constant and the very nature of the work is such that the works site remains changing quite often. It was hence submitted that considering all this, there is no change in conditions of service as far as the complainant is concerned and therefore the complaint made as such deserves to be dismissed. It was also pointed out that after the change of the bus timings as mentioned in the complaint, the Technical Workers' Association, Ahmedabad, had filed Special Civil Application No. 2481 of 1981 challenging the action of the ONGC in changing the shift timings but the same was not admitted by Hon'ble the High Court. Annexure 'A' to ex. 10 is the copy of the strike notice dated 20-7-79 and it appears that this is with regard to the grievance of the workmen about running of the shift buses which was normally reaching late. Annexure 'B' is the statement showing the result of the survey conducted by the ONGC during the operation at JAA.

5. In support of the complaint, the complainant who has filed his affidavit at ex. 9 has been cross examined at ex. 11 wherein he states that he is working as Assistant Technician (Fittings) and he is a member of the Technical Workers' Association. It appears that he is working at J.R.D. well. He stays at Saijpur colony. He has to pick up the shift bus from Saijpur colony. He has further admitted that when the bus used to come late also used to reach the work site also late. He has further admitted that the persons working in the previous shift used to come back in the same bus and the result was that if the bus reached late those persons working in the earlier shift had to work over time and also reach home that much late. He has also admitted that the work in the ONGC as far as the drilling site is concerned is round the clock. He has however denied any knowledge that a dispute has been raised by the union because these shift buses used to reach the work site late and he has also denied any knowledge that before the Conciliation Officer, the management had assured to see that bus timings would be properly adjusted. He has also denied the knowledge about the survey conducted by the ONGC in this behalf. He has however stated that he had heard about the union having gone to the High Court by way of writ application, about the change in timings but deny that he knew that the said writ was not admitted by Hon'ble the High Court. Similarly Shri Makhija who was examined by the ONGC was also cross examined at ex. 12 by the union & Shri Makhija has stated that the ONGC has arranged to see that the workmen are taken on work site and brought back to their home by bus. He has further stated that out of 4 rigs, timings at 2 rigs only have been changed and for 2 rigs they have not been

changed because there the buses would reach in time. In respect of the question whether he had any personal knowledge about the distance between the different drilling sites or whether he had seen the survey report taken by the ONGC this witness has admitted that he had filed the affidavit on the information received from the office and he has no personal knowledge about the same. It is true that this witness has filed the affidavit only from the office record and he had no personal knowledge. Even he has not been able to produce the survey report in Court.

6. After having considered the evidence in its totality I am of the view that even on merits there is no substance in the argument advanced by Shri P. Chidambaram. As observed above, there is no contravention of S. 33A and there is also no breach of S. 9A of the Act as tried to be argued by Shri P. Chidambaram. As far as the evidence of the complainant is concerned in substance he has deposed that because the ONGC has changed the bus timings, he has to reach the bus stand 45 minutes earlier and this has been done in breach of S. 33 of the Act. As against this, the evidence led by the ONGC shows that they have not committed any breach of any of the sections as tried to be suggested by the union. On the other hand the ONGC has tried to minimise or curtail the grievance of the workmen and also keeping in view the huge financial burden which the ONGC has to bear by paying over time wages. Not only this, but as discussed above this was done by the ONGC in pursuance of the assurance given before the Conciliation Officer in this behalf. It is also to be noted that the ONGC has not made any change in the shift timings and what they have done is only to make certain necessary adjustments in order to see that their working becomes very smooth and the hardships experienced by the workmen concerned were minimised. In my opinion they have a right to do so. In support of this action of the ONGC, the learned advocate appearing for the ONGC Shri D. C. Gandhi has placed reliance on a decision reported in A.I.R. 1973, S.C. 968 (V 60 C 215). This is a case decided by the Supreme Court of India wherein it has been held as under :—

"But where there is nothing to show that it was a condition of service that an employee would work 6-1/2 hours only nor is there anything to that effect in the appointment letter of the employee, then Section 9-A would not be applicable. The mere fact that while the workshop was under completion and there was not enough accommodation for the office/administrative staff in the workshop building, they were accommodated in another building and worked there along with other clerks for only 6-1/2 hours in a day for a period of 6 months, will not make it a condition of their service."

As the factory was in the process of being constructed there was no question of fixing the working hours of the administrative office on a permanent basis. It is only when the factory was completed and the administrative staff attached to it shifted to its own building at the factory site, that the management apparently on an overall assessment of its requirements fixed 8 working hours per day. In such case the management would have full power and discretion in fixing the working hours of the administrative staff within the limits prescribed by the statute."

Shri P. Chidambaram however had very vehemently attached the evidence led on behalf of the ONGC, viz., of Shri Makhija who is the Administrative Officer in ONGC at Sabarmati. His evidence was attacked on the ground that he had no personal knowledge about what he has deposed. His evidence was merely a hear-say evidence; that whatever record was required to be produced before the Court has not been produced though he had filed the affidavit relying on the same record. It is true that Shri Makhija is the Administrative Officer and personally he had no knowledge. However, he has stated that whatever he has deposed in affidavit was based on the record maintained by the ONGC. It is also true that no record has been produced but in my view the question does not much depend upon such a record. Even I have not attached much importance to the evidence of Shri Makhija. The question mainly turns upon the fact whether the change effected is within the compe-

tence of the ONGC or not. I have fully discussed about this question above and I am of the view that what the ONGC has done is only in furtherance of the demands made by the workmen concerned and with a view to minimise the workers' grievance. Thus, in my view even on merits I feel that the ONGC has done nothing wrong in effecting the necessary changes for then smooth working. The result is that the complaint deserves to be dismissed and the same is hereby dismissed with no order as to costs.

Ahmedabad,

On 16th September, 1982.

G.S. BAROT, Presiding Officer

[No. L-30011/7/80-D. III (B)]

KANWAR RAJINDER SINGH, Under Secy.

No. 25 Akashvani, 1982

का०आ० 3770—नीह इस्तक यान तथा मैग्नेज अप्स्टक यान अम कल्याण निधि नियम, 1978 में नियम 3 के साथ पाठ्य, नीह अप्स्टक यान तथा मैग्नेज अप्स्टक यान अम कल्याण निधि अधिनियम 1976 (1976 का 61) की धारा 6 द्वारा प्रदत्त मरकारों का प्रयोग करते हुए केंद्रीय मरकार तारीख 20 फरवरी, 1982 के भारत के राजपत्र के भाग II, अंड 3, उपखंड (ii) में पृष्ठ 729 पर प्रकाशित भारत मरकार के अम मंद्रालय वी अधिसूचना संख्या का०आ० 718, तारीख 2 फरवरी, 1982 में निम्नलिखित समोद्देश करती है, अर्थात्—

उक्त अधिसूचना में, अमाक 13 की प्रविधि के स्थान पर निम्नलिखित प्रविधि रखी जाएगी, अर्थात्—

“13 श्री जी० बहेह, मूल्य कार्यक्रम प्रबन्धक, यान इंजीनियर, टाटा प्रायरन एड स्टोर्क कम्पनी लि०, नोआमुंडी (833217), डाकघर नोआमुंडी, जिला० सिंधूपूर (बिहार)“

[संख्या य-23017/10/80-प्रम-5/डब्ल्यू० 2]
टॉडी० सलहोत्रा, अवर. मन्त्री

New Delhi, the 25th October, 1982

S.O. 3770—In exercise of the powers conferred by section 6 of the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Act, 1976 (61 of 1976) read with rule 3 of the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Rules, 1978, the Central Government makes the following amendment to the notification of the Government of India in the Ministry of Labour No. S.O. 718 dated 2nd February 1982 published at page 729 of the Gazette of India, Part II, Section 3, sub-section (ii) dated February 20, 1982, namely :—

In the said notification, for the entry against Serial No. 13, the following shall be substituted, namely :—

“13. Shri D. Behera,
Chief Personnel Manager,
Mines Division,
The Tata Iron and Steel Co. Ltd.,
Noamundi (833217)
P.O. Noamundi, District Singhbhum (Bihar)“
[F. No. U-23017/10/80-M.IV/W.II]
T. D. SALHOTRA, Under Secy.

भादेश

No. 25 Akashvani, 1982

का०आ० 3771—मैसर्स भारत कोर्किंग कोल लिमिटेड का कटरास एरिया, डाक-घर सिंधुपूर, जिला अनबाद के प्रबन्धताल से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व राष्ट्रीय कोलियरों मण्डूर संघ करती है, एक ग्रौवोगिक विवाद विद्यमान है;

और उक्त नियोजकों और कर्मकारों ने ग्रौवोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-की उपधारा (1) के उपयोगी

के अनुसारण में एक लिंगिक धारा उक्त विवाद को उसमें वर्णित के माध्यमिक के लिये निर्देशन करने का करार कर दिया है और उक्त माध्यमिक करार की एक प्रति कन्द्रीय मरकार वा भेजों गई है,

अत अब, उक्त अधिनियम की धारा 10-की उपधारा (3) के उपयोगी के प्रत्युत्तम में, केंद्रीय तारीख तक माध्यमिक करार का, जो दोनों 13 अक्टूबर, 1982 को मिला था, प्रकाशित करते हैं।

करार

(ग्रौवोगिक विवाद अधिनियम, 1947 की धारा 10-की अधीन) परकारों के नामः

नियोजकों का प्रतिनिधित्व करने वाले 1 डा० एस०के० घोष, महाप्रबन्धक, भारत कोर्किंग कोल लि०, कटरास एरिया, सिंधुपूर, जिला० अनबाद।

कर्मकारों का प्रतिनिधित्व करने वाले श्री जी०डी० पांडे, सीकेटरी, राष्ट्रीय कोलियरों म उद्योग संघ अनबाद।

परकारों के बीच नियमित या ग्रौवोगिक विवाद को श्री व्याम कृष्ण, उप मुख्य अमायकृत (केंद्रीय), नई दिल्ली के माध्यमिक के लिये नियंत्रित करने का करार किया गया है। (यहाँ मध्यम के नाम (नमो) और पक्ष (पक्षो) का उल्लेख करता है)

1. विनिर्दिष्ट विवाद ग्रस्त विषयः क्या भारत कोर्किंग कोल लिमिटेड के कटरास एरिया का प्रबन्धताल श्री इरिहर सिंह के पवनताल को लोकिंग भूपराइजर/इसपैक्टर से नोटिंग चर्क में जनवरी, 1975 में परिवर्तन करने की कार्यवाही स्थायोपचित है और क्या वे उसे विधिकीय प्रेष II के स्थान पर विधिकीय प्रेष I का वैनमान से विचित करने में स्थायोपचित है? यदि नहीं, तो कर्मकार कि अनोखा का हकदार है और किस तरीक से?

2. विवाद के परकारों का विवरण महाप्रबन्धक, जिसमें अंतिविलित स्थापन वा उप-मैसर्स भारत कोर्किंग कोल लिमिटेड, कम का नाम और पक्ष की भिन्नताएँ डाकघर सिंधुपूर, जिला० अनबाद है।

3. कर्मकार का नाम यदि वह स्वयं श्री इरिहर सिंह, विवाद में प्रतिवेस्त है वा याद कोई लिपिक प्रेष II संघ प्रशंसन कर्मकारों का प्रति-यूनियन, श्री जी०डी० पांडे सीकेटरी, नियंत्रित करता है तो उनका नाम। राष्ट्रीय कोलियरों भजूर संघ (इटप)

हम यह करार दो बारे हैं कि माध्यम का बहुमत विनियोग हम पर आवश्यक होगा।

माध्यम अलग चंचाट संबंधित सरकार द्वारा हम करार के सखारों ग्रजपत्र में प्रकाशन की तारीख ले भास की कालाबधि या इतने और समय के भीतर जो हमारे बीच पारस्परिक विवित करार द्वारा बढ़ाया जाए, देंगा। यदि पूर्व विनियम कालाबधि के भीतर चंचाट नहीं दिया जाता तो माध्यमिक के लिये नियंत्रण स्वतं रह हो जायेगा और हम नए माध्यमिक के लिये आतंचीत करने का स्वतन्त्र होंगे।

परकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले कर्मकारों का प्रतिनिधित्व करने वाले

इ०-प्रपठनीय

साक्षी

1. ह०/- प्रपठनीय

2. ह०/- प्रपठनीय

ह०/- प्रपठनीय

परीक्षा :—

मैसर्स भारत कोर्किंग कोल लि०, कटरास एरिया के प्रबन्धताल से सम्बद्ध नियोजक

ओर

राष्ट्रीय कोलिंगरी नगदार यष (इटक) घटावाद के अंतर्गत अधिकारियों विवाद के मामले में जो अधीकारी मिल्ह को पदनाम में अधिकारियत प्रवृत्ति परिवर्तन करने वाला वैध वैतनमान न देने के बारे में है, जो बी.मी.० सी.०.एस.-वे राटगाम एरिया के कार्यालय में कानून कर रहा है।

जीवोर्गिक विवाद अधिकारियम, 1947 की धारा 10क के प्रधान में उत्तरी विवाद में मद्दत के रूप में कानून करने के लिये अपनी सहमति देता है।

३०१-

(एम.कल्पा)

तारीख २३-९-१९८२

उप मुद्रा अनुष्ठान (कल्पी)

तर्फ़ (इलाज)

[मा. नम. - २००१.३।।।/८२-२०००.३।।८]

प्रार्थित गमन शम्भ, हस्त अधिकारी

ORDER

New Delhi, the 30th October, 1982

S.O.3771. -Whereas an industrial dispute exists between the employers in relation to the management of Katras Area of Messrs. Bharat Coking Coal Limited, Post Office Sijua, District Dhanbad and their workmen represented by Rashtriya Colliery Mazdoor Sangh, Rajendra Path, Dhanbad;

And Whereas, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement;

Now therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement which was received by it on the 13th October, 1982.

AGREEMENT

(under section 10A of the Industrial Disputes Act, 1947)
Between

Name of the parties:

Representing employers: Dr S.K. Ghosh, General Manager, Bharat Coking Coal Ltd., Katras Area, Sijua, District Dhanbad.

Representing workman: Shri G.D. Pandey, Secretary, Rashtriya Colliery Mazdoor Sangh, Dhanbad.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri Shyam Krishna, Deputy Chief Labour Commissioner (Central), New Delhi:

(i) **Specific matters in dispute:** Whether the management of Katras Areas of Bharat Coking Coal Limited are justified in changing the designation of Shri Harihar Singh from Loading Supervisor/Inspector to Loading Clerk in January, 1975 and whether they are justified in denying him the pay scale of Clerical Grade instead of Clerical Grade II. If not, to what relief is the workman entitled and from what date?

(ii) **Details of the parties to the dispute including the name and address of the establishment or undertaking involved**

The General Manager, M/s Bharat Coking Coal Limited, P.O. Sijua, District Dhanbad.

(in) Name of the workman in case he himself is involved in the dispute, or the name of the union if any representing the workman in question:

Shri Harihar Singh, Clerk Grade II-Union Shri G.D. Pandey, Secretary, Rashtriya Colliery Mazdoor Sangh (INTUC)

We further agree that the majority decisions of the Arbitrator(s) be binding on us. The Arbitrator shall make his award within a period of six months from the date of publication of this agreement in the Official Gazette by the appropriate Government or within such further time as extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the parties:

Sd/- Dr. S.K. Ghosh
Representing employer

Sd/- G.D. Pandey
Representing workman

Witnesses:

(1) Sd/-
(2) Sd/-

I hereby give my consent to act as Arbitrator under Section 10A of the Industrial Disputes Act, 1947 in the above dispute.

Sd/- Shyam Krishna

D/23-9-1982

Deputy Chief Labour Commissioner (Central), New Delhi

[No L-20013(11)/82-D.III(A)]
A.V.S. SARMA, Desk Officer

विवरणीय विकास प्राधिकरण

मार्गनिक सूचना

नई दिल्ली, ११ नवम्बर 1982

का. नो. ३७७२ - केन्द्रीय सरकार द्विलो मुद्रा योजना में नियन्त्रित विवाद करने के विवाद कर रहा है, एतत्वादा जिसे मार्गनिक सूचना हेतु प्रकाशित किया जाता है। इन प्रस्तावित संशोधनों के संबंध में जिस किसी अक्तिको कोई प्राप्ति या मुमाला देना हो तो वे अपने प्राप्ति या मुमाला इस सूचना के ३० दिन के भीतर गांवव द्विलो विकास प्राधिकरण विकास मोनिटर, इलाजप्रस्त शास्त्र, नई दिल्ली के नाम नियन्त्रित क्षेत्र में भेज दें। जो व्यक्ति प्रपत्ती प्राप्ति या मुमाला दें वे अपना नाम एवं पूरा पता लिखें।

मंशाधन

दोष दी-५ (भैंडल विद्युत जान) में भैंडल लागत ३.८६ रुपये (५.०९ प्राप्त) दोष (प्रूषप्रस्त दी-११५), जो परिषिक में ३६.५७ मीटर और ८००० पर्सिक पर माप, दांताण-पूर्व में लान जना भवन भैंडल तथा पूर्व में ६०.९६ मीटर और तालकटाटोय माप से थिए हैं; का भूमि उपयोग 'भैंडल-जनात्मक' उपर्याग से बदलकर (निर्माण एवं आवास मंत्रालय, भारत सरकार की अधिसूचना नं-२०-२१०२३/२६/६६/१०००१/२५ खण्ड-३ दिनांक १०-८-१९८१ द्वारा अधिसूचित) "मरकारी एवं अर्वसरकारी कार्यालय" द्विलो जाना प्रस्तावित है।

2 उक्त प्रविधि के बोर्ड नियन्त्रिका का छोड़कर और सभी कार्यशाला दिनों में दिं विं प्राँ के कार्यालय विकास सीनार, इंद्रप्रस्थ हस्टेट, नई दिल्ली में प्रस्तावित गणाधनो के विक्र निरीक्षण के लिए उपलब्ध होंगे।

[मंग्या-एफ० 20 (12)/79-एम० पी०]

अधिनियम

मन्त्री

विल्ली विकास प्राविकारण

टिप्पणी:

यह मार्गेजनिक सूचना मंग्या-एफ० 20 (12)/79-एम० पी० विं 25-9-82 जो भारत के राजपत्र भा०-2 खण्ड-3 उपखण्ड (2)/ के अंक विं 25-9-82 में प्रकाशित हुई है के स्थान पर है।

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 13th November, 1982

S.O. 3772.—The following modification which the Central Government proposes to make to the Master Plan for Delhi are hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection or suggestion in writing

to the Secretary, Delhi Development Authority, Vikas Minar, Indraprastha Estate, New Delhi, within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his name and address.

MODIFICATION :

The land use of the area (plot No. 115), measuring about 3.66 hect. (9.09 acres) falling in zone D-9, (Central Vista Zone) bounded by 36.57 metres wide Pandit Pant Marg on the west, Lok Sabha Bhavan Plot on the South-east and 60.96 metres wide Talkatora Road on the east, is proposed to be changed from 'Recreational' use (notified vide Govt. of India, Ministry of Works and Housing notification No. 21023/26/66/UDI/HA Vol. III dated 10-9-81) to 'Government and Semi-Government Offices.'

2. The plans indicating the proposed modifications will be available for inspection at the office of the Authority, Vikas Minar, Indraprastha Estate, New Delhi on all working days except Saturday, within the period referred above.

[No. F. 20(12)/79-M.P.]

Sd/- Illegible, Secy.

Delhi Development Authority.

N.B : This is in supersession of public notice No. F. 20(12)/79-M.P. dated 25-9-82 published in the issue of the Govt. of India Gazette dated 25-9-82 Part II—Section 3—Sub-section (ii).